

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31174 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- CHHATAPUR District- Supaul

Pappu Yadav, Son of Raghuni Yadav @ Rugni Yadav, Resident of village-
Bhagwatpur, P.S. - Chhatapur, District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-06-2023 Heard Mr. Kamal Kishore Singh, learned counsel
appearing on behalf the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with S.T. No. 294 of 2022, arising out of Chhatapur P.S. Case No. 202 of 2022, registered for the offences punishable under Sections 401, 411, 413, 414/34 of the Indian Penal Code.

The petitioner is found involve in sale and purchase of stolen motorcycles and on search two motorcycles and one mobile phone, mentioned in the F.I.R., have been allegedly recovered.

Learned counsel appearing on behalf of the petitioner submits that in fact on account of two past criminal antecedent, as has been mentioned in para. 3 of the petition, the petitioner has been implicated in this case, though he has no concern with



the alleged motorcycles. He further submits that there are infirmities in the search and seizure, apart from the fact that the co-accused persons, having identical allegation, have been allowed the privilege of bail by the learned coordinate Benches of this Court in Cr. Misc. No. 57413 of 2022 vide order dated 29.03.2023 and in Cr. Misc. No. 2537 of 2023 vide order dated 29.03.2023. He next submits that the investigation of the crime is complete and the charge-sheet has been submitted and now the petitioner has spent more than one year behind the bar.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that other co-accused persons, having identical allegation and from whose possession also motorcycle is said to have been recovered, have been allowed the privilege of bail by the learned coordinate Benches of this Court, coupled with the period of custody and the fact that investigation of the crime is complete, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Supaul in connection with S.T. No. 294 of 2022, arising



out of Chhatapur P.S. Case No. 202 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

