

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34626 of 2023

Arising Out of PS. Case No.-1370 Year-2022 Thana- FORBESGANJ District- Araria

RAM CHANDAR YADAV Son of Chhote Lal Yadav Resident of Village-
Naya Tola Jurabganj, PS- Kodha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34878 of 2023

Arising Out of PS. Case No.-1370 Year-2022 Thana- FORBESGANJ District- Araria

RAJ KUMAR YADAV @ RAM KUMAR YADAV S/o- RAM CHANDAR
YADAV Village- Naya Tola Jurabganj Ps- Kodha Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34626 of 2023)

For the Petitioner/s : Mr. Anup Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 34878 of 2023)

For the Petitioner/s : Mr. Anup Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 4 31-07-2023 1. Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.
2. Petitioners seek bail, who are in custody since
31.12.2022 in connection with Forbesganj P.S. Case No.
1370/2022 dated 27.12.2022, registered for the offences
punishable under Sections 356, 379, 34 of the I.P.C.



3. According to prosecution case, while the informant return to his home after withdrawing Rs. 4 lac from the account of his daughter, four unknown persons came on two motorcycle and snatched the bag of the informant containing Rs. 4 lac and fled away.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the petitioners are not named in the F.I.R. The name of the petitioners have transpired during investigation on the basis of CCTV footage and one mobile, one motorcycle and Rs. 2500/- have been recovered from the house of the petitioners and the recovered articles were not put on T.I.P and even the petitioners were not put on T.I.P till date. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 31.12.2022.

5. Learned Additional Public Prosecutor for the State on the other hand opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbishganj P.S. Case No.1370/2022, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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