

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35166 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- SATHI District- West Champaran

Lalu Yadav S/o Mohan yadav Resident of Mohalla - Basantpur, P.S. Sathi,
District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-01-2023 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 356, 379, 34 of the Indian Penal Code and Sections 66 (C)/66(D) of the I.T. Act.

As per prosecution case, in brief, is that on 14.04.2022 at 11:35 A.M. the informant was going to his sasural, two unknown persons ridden over a bike came and snatched away the mobile phone of the petitioner. On 14.04.2022, the informant purchased another mobile and downloaded pay-phone and he came to know that one Sandip Kumar having Mobile No.



7061687708 had withdrawn Rs. 20,000/- from the pay-phone of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that on the basis of written report, the police arrested the accused namely Sandip Kumar and the petitioner was accompanied with Sandip Kumar also apprehended with the motorcycle. He further submits that stolen mobile phone and the withdrawal amount as alleged in the F.I.R. was recovered from the possession of co-accused Sandip Kumar and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.04.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sathi P.S. Case No. 75 of 2022, with the following conditions :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. 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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