

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37474 of 2023

Arising Out of PS. Case No.-241 Year-2020 Thana- ITARHI District- Buxar

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Karan Kumar Yadav @ Karan Yadav, Son of Late Bala Yadav Resident of
village - Gerabari, P.S. - Kodha, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anup Kumar Pandey

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 05-07-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Itarhi

P.S. Case No.241 of 2020 and G.R. No. 2913 of 2020,

registered for the offences punishable under Sections 392 of

the Indian Penal Code.

The prosecution case as emerges from the FIR is

that on 12.11.2020, the informant along with a co-villager

were returning to their village after withdrawing an amount

of Rs. 50,000/- from Punjab National Bank. All of a sudden,

a person riding black motorcycle pushed the informant down.

Moreover, the person came and assaulted the informant and



took the cash away.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the FIR. He also submits that nothing has been recovered from the conscious possession of the petitioner. He also submits that no T.I.P in this case has been conducted as yet.

He further submits that the petitioner has been languishing in jail since 28.05.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in four other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in



the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-II, Buxar, in connection with Itarhi P.S. Case No.241 of 2020 and G.R. No. 2913 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that



the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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