

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42196 of 2023

Arising Out of PS. Case No.-815 Year-2022 Thana- BIHAR District- Nalanda

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PRAVEEN YADAV Son of Mithilesh Yadav Resident of village - Darbar, P.S.
- Barachati, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saurav Karn

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-07-2023 Learned counsel for the petitioner is permitted to

make necessary correction in para 3 of the bail petition and add

para 14 in the bail petition.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with Bihar
P.S. Case No. 815 of 2022 registered for the offences punishable
under Sections 379 of the Indian Penal Code.

4. As per prosecution case, the informant truck has been
stolen by some unknown thieves and FIR has been lodged
against unknown.

5. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and petitioner has been



remanded in the present case from Bihar P.S. Case No. 863 of 2022 upon the confessional statement of co-accused Raushan Kumar and Nitish Kumar. He further submits that petitioner is in custody since 21.12.2022 and bears criminal antecedent of two cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that TIP was conducted but the informant did not identify the petitioner as mentioned in para 14 of the bail petition. He further submits that upon confessional statement of co-accused Raushan Kumar, petitioner name has been surfaced and said co-accused Raushan Kumar has already been granted bail vide Cr. Misc. No. 36820 of 2023 by a co-ordinate Bench of this Court and the case of present petitioner stands on better footing. He further submits that petitioner is quite innocent and has falsely been implicated in the case.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail by co-ordinate Bench of this Court, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of



both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda in connection with Bihar P.S. Case No. 815 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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