

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42513 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- BARUN District- Aurangabad

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Jamdar Yadav @ Jimdar Kumar @ Pankaj Kumar Son Of Mithlesh Yadav @
Mithilesh Singh, Resident Of Village - Bagahi, P.S.- Barun, District -
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Barun P.S. Case No. 82 of 2023 dated 22.02.2023
dated 22.02.2023 lodged under Sections 379, 414, 420, 467, 468,
471 and 120B of the Indian Penal Code.

3. As per the prosecution, F.I.R. has been lodged
against two named accused persons against whom the allegation
that they are in possession of the theft motorcycle and tractor.

4. Learned counsel for the petitioner submits that
petitioner is not named accused in the F.I.R. and his name has
figured in this case by virtue of the confessional statement of
co-accused Ankit Kumar. Counsel further submits that petitioner



is in custody since 29.03.2023 and there are two criminal cases pending against the petitioner, out of two cases, in one case he is on bail and in one case he is persuading for bail. Counsel further submits that the present case is only on suspicion and confessional statement. He further submits that charge sheet has already been filed in this case.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 82 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall



file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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