

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51182 of 2023

Arising Out of PS. Case No.-262 Year-2022 Thana- NAUGACHIA District- Bhagalpur

1. AMRENDRA @ AMRENDRA YADAV @ AMBAREN YADAV @ AMREN YADAV son of Fulo Yadav
2. Anjit Yadav son of Manoj Yadav @ Manoj Kr. Yadav
Both are R/o Village- Dhobinia P.S- Naugachia Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anant Kumar I, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 19.01.2023 in connection with Naugachia P.S.Case No.262 of 2022, F.I.R. dated 01.09.2022 registered for the offence punishable under Section 399,402 of the Indian Penal Code and Sections 25(1-B)a,26,35 of Arms Act.

3. As per the prosecution, the police on a secret information caught some persons who used to hatch conspiracy and loot the people. One of the arrested accused disclosed the name of the petitioner and others as they had planned to commit robbery of a Bank agent. He also disclosed



his associates waiting at Nawada Chowk, where police raided but apprehended only three, while 4-5 successfully fled.

4. Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in the present case. The name of the petitioners have been transpired on the basis of the disclosure made by co-accused persons. Further submits that from a bare perusal of the FIR as well as the seizure list that nothing have been recovered from conscious possession of the petitioners and the recovery has been made from other co-accused persons and the several co-accused persons, namely, Pramod Sah, Md. Bablu, Nitish Kumar, Shohit Kumar Thakur, Chandan Yadav @ Chandan Kumar and Julo @ Julmi Yadav @ Julo Yadav have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 07.02.2023, 21.04.2023, 16.05.2023, 08.06.2023, and 04.07.2023 passed in Cr. Misc. Nos.67280 of 2022, 3041 of 2023,17226 of 2023, 29445 of 2023 and 29872 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 19.01.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that the petitioners carry



two more cases other than the present one.

6. Considering the aforesaid fact, 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 learned A.C.J.M.-III, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No.262 of 2022, with the following conditions:-

(I) 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.

(II) 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.

(III) 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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