

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55096 of 2023

Arising Out of PS. Case No.-279 Year-2022 Thana- MANIGACHI District- Darbhanga

Pappu Kumar Yadav @ Pappu Yadav, aged about 24 years (M), son of
Singheshwar Yadav, R/V- Adhaolam, PS- Bahera, Dist- Darbhanga
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Manigachhi PS Case No.279 of 2022 dated 26.12.2022,
instituted for the offence punishable under Sections 392 of the
Indian Penal Code.

3. The prosecution case, in short, is that the informant
on the alleged date of occurrence was travelling from Koelwar
to Hajipur (Vaishali) by his bike. When he reached within the
jurisdiction of Mannigachhi police station, three persons
stopped him and pointed out the firearms on his chest. They
looted his bike, samsung mobile, bag and cash of Rs.4400/-.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. The petitioner has been



remanded in this case only on the basis of confessional statement of co-accused Jitendra Kumar. It is submitted that the petitioner was arrested by the police on 01.01.2023 in connection with Biraul PS case No. 513 of 2022 and thereafter remanded in this case on 10.04.2023 and since then he is in judicial custody in connection with this case. It is further submitted that no test identification parade has been conducted. The FIR was lodged against unknown miscreants. It is lastly submitted that the petitioner has antecedents of eight criminal cases.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM, V, Darbhanga, in Mannigachhi PS Case No.279 of 2022, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably



father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

(Khatim Reza, J)

J. Alam/-

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