

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63315 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- SAKRI District- Madhubani

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AMIT KUMAR YADAV Son of Hari Yadav Resident of village- Kanhali, P.S.
- Sakri, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
	:	Mr. Rajesh Kumar, Advocate
	:	Mr. Vinod Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
19.04.2022 in connection with Sakari P.S. Case No.60 of 2022,
F.I.R. dated 21.03.2022 registered for the offence punishable
under Sections 356,379,34 of IPC and later on Sections 395 and
120(B) of IPC was added.

3. The prosecution case as per FIR is that the
informant was intercepted by three persons riding on a
motorcycle and they snatched the bag from the informant
containing Rs.4,70,000/-.

4. Learned counsel appearing for the petitioner



submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused person, namely, Prince Kumar Paswan. Further submits that except the confessional statement of the co-accused, namely, Prince Kumar Paswan, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the said co-accused, namely, Prince Kumar Paswan has been granted bail vide order dated 13.02.2023 passed in Cr. Misc. No.52310 of 2022 by a Coordinate Bench of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.04.2022.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhubani in



connection with Sakari P.S.Case No.60 of 2022,with the following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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