

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61563 of 2023**

Arising Out of PS. Case No.-192 Year-2023 Thana- BARUN District- Aurangabad

Biru Yadav @ Viru Yadav Son Of Bhagawan Singh @ Bhagawan Yadav  
Resident Of Mohalla Idgah Mohalla P.S Dehri District Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rameshwar Singh, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      20-09-2023      Heard learned counsel for the petitioner and learned  
APP for the State.

2. Petitioner seeks bail, who is in custody since 15.06.2023, in connection with Barun P.S. Case No. 192 of 2023, F.I.R. dated 05.05.2023 registered for the offences punishable under Sections 392, 411 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he fired bullet upon the informant and snatched her gold chain weighing over 10 grams.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that one gold chain of the informant



has been recovered from the possession of the petitioner and thereafter the informant has identified his golden chain which was recovered from the possession of the petitioner belonged to the informant and the petitioner was remanded in the present case from Barun P.S. Case No. 193 of 2023 on 15.06.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases of almost similar nature other than the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail in all the three cases.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten 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. 192 of 2023, subject to the following conditions :-

(1) 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 absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

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

(3) 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 antecedents, 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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