

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64760 of 2023

Arising Out of PS. Case No.-184 Year-2023 Thana- GAYA RPF/POST District- Gaya

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Pramod Kumar Yadav @ Pramod Yadav, son of Rajendra Yadav R/o- Nala
Separa Santosh Bhawan Dubey Chaal PS- Santosh Bhawan Barai Paldhar
Maharashtra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
R.P.F. Gaya P.S. Case No.184 of 2023, lodged on 22.06.2023
under Sections 414 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against 2 named accused person including the petitioner
upon recovery of 27 stolen mobile phones.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. From the
content of the FIR, it transpires that recovery of 27 alleged
mobile phones were made from the possession of co-accused
Pramod Kumar Yadav whereas from the possession of the



petitioner two mobile phones and cash of Rs.270/- has been recovered. The name of the petitioner has been figured in this case on the basis of confessional statement of co-accused. Moreover, similarly situated co-accused, namely, Suraj Saroj has been granted bail by a co-ordinate Bench of this Court vide order dated 11.10.2023 passed in Criminal Miscellaneous No. 64583 of 2023 He further submits that the antecedent of the petitioner is clean and he is in custody since 22.06.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

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 Railway Judicial Magistrate, Gaya in connection with R.PF. (Gaya) P.S. Case No. 184/2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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