

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63907 of 2022**

Arising Out of PS. Case No.-26 Year-2022 Thana- KORANSARAI District- Buxar

Abhishek Yadav @ Jeetu @ Jitu Son Of Prithvi Nath Yadav R/O Village-
Bhatwaliya, P.S.- Buxar (INDUSTRIAL Area), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rang Nath Choubey, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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

3 19-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
26.05.2022 in connection with Koran Sarai P.S. Case No. 26 of
2022, F.I.R. dated 06.03.2022 registered for the offence
punishable under Sections 392/34 of IPC.

The FIR of the occurrence of loot is against unknown.

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,
Asmit Singh. Further submits that the petitioner is remanded in
the present case from Buxar Muffasil P.S. Case No.105 of 2022



and nothing has been recovered from possession of the petitioner and till date no TIP has been conducted by the prosecution and except the confessional statement of the co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present case and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 26.05.2022.

Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner on the ground that the petitioner carries eight more cases other than the present one but fairly submits that the out of eight cases, the petitioner is on bail in two cases, and rest six cases are pending for consideration, as mentioned in para-3 of the bail petition.

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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV, Buxar in connection with Koran Sarai P.S. Case No. 26 of 2022, with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(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 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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