

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63737 of 2022

Arising Out of PS. Case No.-176 Year-2019 Thana- CHENARI District- Rohtas

MANOJ YADAV S/O LATE SARJU YADAV R/v- Alampur, P.S.- Baddi,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 24-04-2023

1. Heard both the parties.

2. The petitioner seeks bail in anticipation of his arrest in connection with Chenari P.S. Case No. 176 of 2019, dated 19.07.2019, instituted for the offences under Sections 399, 400, 402, 414 and 34 of the I.P.C.

3. The allegation against the petitioner as per F.I.R. is that he ran away when the police tried to stop him. No other allegation is found as against the petitioner on the basis of previous criminal cases he has been dragged in this case. Other co-accused persons were apprehended by the police with alto car and motorcycle. It is further alleged that from their possession Rs. 10,000/ and mobile were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner



came into light in this case on the basis of confessional statement of other co-accused person before the police which has got no evidentiary value in law. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession. He has no concern with the alleged recovery which was recovered from other co-accused persons.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Taking into consideration that the petitioner is already on bail in other cases and no specific allegation of committing any offense is made out against the petitioner, I am inclined to grant anticipatory bail to the petitioner, namely, Manoj Yadav and in the event of arrest, he shall be released on bail subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are as under:-

I. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

II. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

III. The petitioner shall not obstruct or hamper the



police investigation and not play mischief with the evidence collected or yet to be collected by the police;

IV. The petitioner shall maintain law and order;

V. The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

VI. The petitioner shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

VII. The petitioner shall regularly remain present during the trial and cooperate with the Hon'ble Court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 88

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