

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68155 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- DHANAHA District- West Champaran

Guddu Yadav, Son of Late Ramashankar Yadav Resident of Village-Bagahwa,
Police Station-Dhanaha, District-West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dhanana P.S. Case No.139/2023, lodged on 13.07.2023 under
Section 41 4 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons with an allegation of
committing theft of the motorcycle of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR rather his name has figured in
this case on the basis of confessional statement of co-accused.
The alleged motorcycle has not been recovered from the
possession of the petitioner. He further submits that the



petitioner is accused in three more criminal cases, in which he is on bail. The petitioner is in custody since 15.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner the antecedent of the petitioner is not clean and this aspect may be taken into consideration at the time of granting bail to 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, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned JM-1st Class, Bagaha, West Champaran, in connection with Dhanana P.S. Case No. 139/2023, 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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