

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68653 of 2022

Arising Out of PS. Case No.-465 Year-2022 Thana- BUXAR District- Buxar

Raj Kumar Yadav @ Pintu Yadav S/o Mohan Singh @ Mohan Yadav R/v-
Bhitihara, P.S.- Itarhi, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 379 of the Indian Penal
Code.

According to prosecution case, the informant parked
his motorcycle in front of LIC office and went inside the office
to submit the premium but when he returned he found his
motorcycle missing from the place of parking.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He



further submits that one motorcycle has been recovered from the house of the petitioner and thereafter, the prosecution has recorded the confessional statement of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 20.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner carries 9 cases other than the present one but fairly submits on the basis of the statement in paragraph 3 of the petition that the petitioner has acquitted in cases from serial no. 1 to 4 and he is on bail from serial no. 5 to 9.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Buxar (Town) P.S. Case No. 465 of 2022, 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 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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