

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73805 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- NAGAR District- Vaishali

PRITHVI YADAV Son of Sarvan Yadav R/V- Naya Tola Jurabganj, P.S-
Kodha, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anup Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
12.05.2022 in connection with Hajipur Town P.S. Case No. 64
of 2022, F.I.R. dated 24.01.2022 registered for the offence
punishable under Section 392 of IPC.

The prosecution story, in brief, is that the informant
who is conducting CSP of ICICI Bank in his village and on
24.1.2022 at 11:00 AM, when he was on medicine shop with
withdrew amount of Rs. 2 lakh 60 thousand, in the meantime,
two miscreants riding one motorcycle came and snatched his
bag containing money. Thereafter, this case has been lodged.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present case
on the basis of the confessional statement of the co-accused



person, namely, Manish @ Subodh Kumar. Further submits that nothing has been recovered from conscious 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, namely, Manish @ Subodh Kumar, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the co-accused person, namely, Manish @ Subodh Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 21.03.2023 passed in Cr. Misc. No. 73752 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.05.2022.

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

Considering the aforesaid fact, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 64 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)

Nitesh/-

U		T	
---	--	---	--

