

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4875 of 2024

Arising Out of PS. Case No.-481 Year-2023 Thana- BAGHA District- West Champaran

Deepu Yadav @ Dipu Yadav Son Of Awdhesh Yadav Resident Of Village-
Naraipur, Ward No. 10, Ps- Bagaha (Patkhauli), Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Bagaha (Patkhauli) P.S. Case No.481 of 2023, lodged on 06.07.2023, under Sections 413/414/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. It has been alleged in the FIR that upon secret information that the accused persons are involved in selling the motorcycle which was subject to theft, the police reached, two persons fled away including the petitioner and the motorcycle which was subject to theft is alleged to have been recovered from the house of the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that petitioner has not been apprehended at the place of occurrence and in support of his argument counsel submits that in the seizure-list it is being stated that the copy of the seizure-list has been stucked at the house meaning thereby recovery has not been made in presence of anyone. Counsel further submits that the petitioner is accused in one more criminal case which is not of theft or relating to theft, rather it is of excise act, in which he is on bail. The petitioner is in custody since 07.10.2023. The charge sheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Babaha West Champaran, in connection with Bagaha, Patkhauli) P.S. Case No.481 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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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