

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6447 of 2024

Arising Out of PS. Case No.-660 Year-2023 Thana- AMARPUR District- Banka

Sonu Yadav @ Sonu Kumar Yadav S/o Moti Yadav R/o Vill - Dighi Pokhar
(Bidhanchak), P.S. - Amarpur, Dist. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Pandey, Advocate
For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2024 Heard Mr. Dhananjay Pandey, learned counsel for
the petitioner and Mr. Manoj Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Amarpur P.S. Case No. 660 of 2023, F.I.R. dated 07.10.2023 for the offences punishable under Section 379 of the Indian Penal Code.

3. According to prosecution case, on 07.10.2023 at night the tractor of the informant was taken by the unknown and from CCTV footage it has come in light that the said tractor has been taken by the petitioner and others.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that only on the basis of the CCTV Footage the petitioner has been made accused in the present case but nobody claimed that the petitioner was seen in the CCTV footage.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the name of the petitioner has been transpired on the basis of the CCTV footage but nobody claimed that the petitioner was seen in the CCTV footage, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 660 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. 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.

iii. 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)

ajay/-

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

