

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15774 of 2024

Arising Out of PS. Case No.-22 Year-2022 Thana- CHANDRADIP District- Jamui

Pukari Yadav son of Chunarik Yadav @ Chanarik Yadav Resident of Village-
Islam Nagar, P.S.- Chandradeep, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-06-2024 Heard Mr.Umesh Prasad, learned counsel for the

petitioner and Mr.Upendra Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chandradeep P.S. Case No. 22 of 2022, F.I.R. dated 05.03.2022 for the offences punishable under Sections 386, 387,395,397/34 of the Indian Penal Code.

3. According to prosecution case, 12-15 unknown criminals including the petitioner jumped inside the Mill and started abusing and assaulting the informant and also took Rs. 20,000/- from his pocket and snatched mobile phones from all the labourers present there.

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



Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation in the present case on the basis of the confessional statement of co-accused person, namely, Bablu Kumar. Further submits that Bablu Kumar has disclosed the name of the petitioner in Sikandra P.S. Case No. 49 of 2022 and on the basis of the confessional statement of co-accused person, namely, Bablu Kumar, the name of Ranjeet Kumar @ Ranjeet Yadav was also implicated in the present case and he has been granted privilege of anticipatory bail by this Court vide order dated 12.10.2023 passed in Cr.Misc. No.49677 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the name of the petitioner has been transpired during investigation in the present case on the basis of the confessional statement of co-accused person, namely, Bablu Kumar and apart from the aforesaid, 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.

6. Considering the aforesaid facts, let the petitioner,



above named, in the event of his 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 learned J.M. 1st Class, Jamui in connection with Chandradeep P.S. Case No. 22 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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