

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17453 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- RAGHUNATHPUR District- Siwan

Rohit Yadav @ Rohit Kumar Yadav S/o Hareram Yadav R/o Village-
Bhaganrajpur Tola, Chakdahwa, Jaijor, P.S. Aandar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Munna

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 414 of the I.P.C. and Sections 25(1-b)a, 26 and 35 of the
Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and has been falsely
implicated in the instant case by the informant. It is next
submitted that petitioner was not apprehended from the spot
rather Prince Kumar and Ranjit Yadav were apprehended by the
informant and the police and from their possession, arms and
cartridges were recovered. It is next submitted that they
disclosed the name of Raju Yadav, who had brought the stolen



motorcycle, on which they were riding and also took the name of this petitioner.

4. It is submitted that confessional statement in police custody does not have any evidentiary value. It is also submitted that as far as this petitioner is concerned, except for his name being taken in confession, no allegation has been alleged. It is further submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Siwan in connection with Raghunathpur P. S. Case No.224 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Hareram Yadav.

7. The application stands allowed.



8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons and to take all coercive action to ensure that the petitioner is behind bar.

9. Let this order be communicated to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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