

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18007 of 2024

Arising Out of PS. Case No.-13 Year-2021 Thana- BHAIKAVSHTHAN District- Madhubani

Rambabu Yadav @ Raibabu Yadav Son Of Laxmi Yadav @ Yugeshwar Yadav
R/O-Laxmipur, Laxmibigha P.S. Kako (JEHANABAD) Distt.-JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Paras Nath, learned counsel for the

petitioner and Mr. Pawan Kumar Chaurasia, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bhairav Sthan P.S. Case No. 13 of 2021, F.I.R. dated 07.02.2021 for the offences punishable under Sections 406, 408, 419 and 420 of the Indian Penal Code.

3. According to prosecution case, the informant suspects that this petitioner had withdrawn money from his ATM card without his knowledge.

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alleged in the F.I.R. He further submits it appears from the F.I.R that the informant alleged that the petitioner had withdrawn money from his bank account on 28.01.2021 and the F.I.R has been instituted on 07.02.2021 i.e. after delay of about 10 days. He further submits that merely on the basis suspicion the present F.I.R has been instituted against the petitioner and no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

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

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate-I, Jhanjharpur, District-Madhubani in connection with Bhairav Sthan P.S. Case No. 13 of 2021, 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)

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