

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20560 of 2024

Arising Out of PS. Case No.-47 Year-2021 Thana- BAKHARI District- Begusarai

Deepak Yadav @ Dilip Yadav Son Of Lakshmi Yadav Resident Of Village -
Narpa, P.S. - Bithan, District - Samastipur, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2024 Heard Mr. Yogesh Kumar, learned counsel for the
petitioner and Mr. Surendra Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bakhari P.S. Case No. 47 of 2021 registered for the offence
under Section 392 of the Indian Penal Code.

3. The petitioner along with other is said to have
looted Rs. 18,600/- from the informant and fled away.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that initially the
petitioner has not been named in the F.I.R. and the name of the
petitioner transpired on the basis of the confessional statement
of the co-accused person, namely, Keshav Ishwar @ Aditya Raj
in another case i.e. Bakhari P.S. Case No. 120 of 2021. He



further submits that except the confessional statement of the co-accused person, no other material has come during the investigation to suggest the involvement of the petitioner in the present case. He further submits that no TIP has been conducted by the prosecution. He further submits that other co-accused person, namely, Keshav Ishwar @ Aditya raj, who confessed his suit, has been enlarged on bail by this Court vide order dated 14.06.2022 passed in Cr. Misc. No. 8898 of 2022. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 21.06.2021.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the petitioner carries six cases other than the present one.

6. Considering the facts and circumstances of the case and the period of custody, let the, above named, petitioner 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 Chief Judicial Magistrate, Begusarai in connection with Bakhari P.S. Case No. 47 of 2021 with the following conditions:-

(1) 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 canceled by the Court below.

(2) 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.

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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