

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26163 of 2024

Arising Out of PS. Case No.-56 Year-2018 Thana- CHHATAPUR District- Supaul

Pappu Yadav @ Pappu Kumar S/o- Shiv Nandan Yadav Resident of Gwalpara
ward No 06 P.S. Gwalpara, District Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Patla Kumari, Advocate
For the State : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2024 Heard Mrs. Patla Kumari, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Chhatarpur P.S. Case No. 56 of 2018, F.I.R.
dated 07.03.2018 for the offences punishable under Sections 147,
148, 149, 341, 323, 379, 447, 448, 427, 254(B), 384, 504 and 506
of the Indian Penal Code.

3. According to prosecution case, the petitioner
assaulted to the wife of the informant and other family members
and further tried to destroy their house and snatched the neckless
of the informant's wife. It is also alleged that they also demanded
ransom of about Rs. 1 Lakh from the informant.

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 from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioner rather the allegation against the petitioner that he has assaulted to the wife of the informant. He further submits that the allegation as alleged is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the Police after investigation submitted the final form upon some of the co-accused persons and the learned Judicial Magistrate, Supaul vide order dated 15.12.2021 has also taken cognizance in this case.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the police have filed final form in favour of the petitioner and not sent up the petitioner for trial and apart from that, the learned Court below has also taken cognizance in this case, 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 the learned Additional Chief Judicial Magistrate, IV, Supaul, in connection with Chhatarpur P.S. Case No. 56 of 2018, 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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