

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32159 of 2024

Arising Out of PS. Case No.-341 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

Bhola Nath Yadav @ Bittu Yadav @ Bhola Nath Singh Yadav Son Of
Ramvyas Yadav, Resident Of Village - Gaura, P.S. - Mohania, District -
Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Y.C. Verma, Sr. Advocate
For the Opposite Party : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-07-2024 Heard Mr. Y.C. Verma, the learned senior counsel for
the petitioner and Mr. Arun Kumar, the learned Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
29.09.2022, in connection with STR No. 47 of 2023, arising out of
Ramgarh P.S. Case No. 341 of 2022, FIR dated 29.09.2022,
registered for the offences punishable under Sections 363 and
364(A) of the Indian Penal Code.

3. Earlier the petitioner has moved before this Hon'ble
Court for grant of regular bail, which was rejected vide order dated
19.09.2023, passed in Cr. Misc. No. 47023 of 2023.

4. According to the prosecution case, the minor
daughter of the informant went missing and the informant failed to
locate his daughter, raising suspicion of her kidnap.

5. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. Although, the bail petition of the petitioner was earlier rejected vide order dated 19.09.2023, but till date charge has not been framed against the petitioner and petitioner is in custody since 29.09.2022.

6. Learned counsel for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner in the present occurrence.

7. Vide order dated 17.05.2024, a report was called for with regard to the stage of the trial, and report of the learned trial Court dated 27.05.2024, reveals that charge has not been framed as yet.

8. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court, there is no chance of early conclusion of the trial in near future and the petitioner is in judicial custody since 29.09.2022.

9. Considering the aforesaid facts and circumstances as well as the report of the learned trial Court, let the petitioner, above-named, be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-I-cum-Special Judge,



Kaimur at Bhabua, in connection with **Ramgarh P.S. Case No. 341 of 2022**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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