

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32058 of 2024

Arising Out of PS. Case No.-514 Year-2023 Thana- RAMPUR District- Gaya

Chotu Yadav @ Raja @ Sukhendra son of Late Kail Yadav Resident of
Village - Gewal Bigha, P.S.- Rampur, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rampur P.S. Case No. 514 of 2023, lodged on 13.08.2023 under
Sections 457, 380 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against unknown accused persons against whom there is an
allegation of theft.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the name of the petitioner has been figured in
this case only by virtue of confessional statement of the co-
accused. Counsel further submits that the person on whose
statement, name of the petitioner has been figured in this case



has been granted bail by this Court *vide* order dated 20.02.2024 passed in Cr. Misc. No. 9012 of 2024.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there are eleven criminal cases pending against him in which in three cases, he is acquitted and in three cases, final form has been submitted and in rest cases, he is on bail. The petitioner is in custody since 30.09.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and this aspect must be taken into consideration while considering the bail application of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya in connection with Rampur P.S. Case No. 514 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only



on being satisfied by the Trial Court that the petitioner is not
absconding in the following cases:-

- ◆ Rampur P.S. Case No. 48 of 2012
- ◆ Rampur P.S. Case No. 162 of 2013
- ◆ Rampur P.S. Case No. 166 of 2013
- ◆ Rampur P.S. Case No. 232 of 2019
- ◆ Rampur P.S. Case No. 365 of 2019

(Dr. Anshuman, J.)

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