

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33575 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- BHAPTIAHI District- Supaul

Baijnath Yadav @ Baidyanath Yadav Son of Parmeshwari Yadav R/O Villl.-
Fulwaria ward no 11, P.S.- Kishanpur, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bhaptiahi P.S. Case No.83 of 2023 lodged under Section 392 of
the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four unknown accused persons against whom
there is allegation that they have committed robbery of articles
of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner's name has figured in this case by virtue of
self-confessional statement.

5. Counsel further submits that petitioner's name has



come in this case at the instance of police, only due to the reason that there are 8 criminal cases pending against him in which he is on bail in 5 cases and in rest cases, he is persuading for bail. He submits that petitioner is in custody since 23.01.2024.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and at the time of consideration of bail, antecedent of the petitioner may be taken into consideration.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **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 C.J.M., Supaul in connection with Bhaptiahi P.S. Case No.83 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

i. Kishanpur P.S. Case No.269 of 2018.

ii. Kishanpur P.S. Case No.166 of 2019.

iii. Kishanpur P.S. Case No.24 of 2021.

iv. Kishanpur P.S. Case no.183 of 2023

v. Kishanpur P.S. Case No.102 of 2023.

vi. Bhaptiahi P.S. Case No.163 of 2023.



vii. Pipra P.S. Case No.235 of 2023.

viii. Pipra P.S. Case No.263 of 2023.

(Dr. Anshuman, J.)

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