

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47593 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- KAKO District- Jehanabad

Surendra Yadav S/o Raghuni Yadav R/o Khatauna, P.S. - Kako (Belawar O.P.), Distt. - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate
For the State : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2024 Heard Mr. Pritish Kumar Lal, learned counsel for the petitioner and Mrs. Rina Sinha, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kako (Belawar O.P.) P.S. Case No. 73 of 2024, F.I.R. dated 05.03.2024 for the offences punishable under Sections 379, 411 and 414 of the Indian Penal Code.

3. The case relates to theft of articles i.e. starter, electric wire, aluminium wire and haksha blade etc.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of the disclosure made by the co-accused person, namely, Chunu Bind. He further submits that except the aforesaid no other cogent material has come during



the investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one more case other than the present one but fairly submits on the basis of the paragraph nos-3 & 8 of the bail petition that the petitioner has been acquitted from the charges as alleged in the pending FIR.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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 S.D.J.M, Jehanabad in connection with Kako (Belawar O.P.) P.S. Case No. 73 of 2024, 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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