

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51666 of 2024

Arising Out of PS. Case No.-221 Year-2023 Thana- PIPRA District- East Champaran

Sintu Yadav @ Sintu Kumar Yadav Son Of Phulchand Yadav R/O-Village-
Naya Tola Jurabganj P.S.- Kodha District -Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-09-2024 Heard the learned Advocate for the petitioner and
the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Pipra P.S. Case No. 221 of 2023, registered
for the offence punishable under Section 394 of the Indian Penal
Code.

3. While the informant was going to her home with
her husband after withdrawing Rs. 1,50,000/- from Central
Bank, in the meantime, two unknown miscreants riding on a
motorcycle intercepted them and looted the cash and valuables.

4. Learned Advocate for the petitioner contended that
the name of the petitioner has transpired on his self
confessional statement recorded by the police in connection
with Chakia P.S. Case No. 382 of 2023 and, as such, not



admissible in the eyes of law. Moreover, except the self confession, there is no material suggesting the complicity of the petitioner in the crime. Neither the petitioner has been put on Test Identification Parade nor any incriminating material has been recovered. Now the petitioner has been languishing in jail since 07.12.2023, and the investigation of the crime is complete.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner has criminal antecedent of identical nature.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the crime, in question, is triable by the Magistrate and now the petitioner has been incarcerated since 07.12.2023. Moreover, the investigation is complete and save and except the confessional statement, there is no material suggesting the complicity of the petitioner in the crime, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra P.S. Case No. 221 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-



(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

