

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58455 of 2024

Arising Out of PS. Case No.-133 Year-2019 Thana- PASRAHA District- Khagaria

Sugan Yadav Son Of Late Ganesh Yadav R/O- Village- Basua, P.S.- Pasraha,
Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2024 Heard Mr.Vivekanand Singh, learned counsel for the

petitioner and Mr.Sanjay Kumar Tiwary, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
25.01.2021 in connection with Supplementary Pasraha P.S.
Case No. 133 of 2019, F.I.R. dated 19.10.2019 registered for the
offence punishable under Sections 341, 323, 420, 406, 386,
506/34 of IPC.

3. Allegation against the petitioner is to take
Rs.48,000/- from informant for selling of buffalo but under
conspiracy, co-accused took the money from informant and
looted buffalo.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the



present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per FIR, allegation against the petitioner is to take Rs.48,000/- from informant/complainant and not handed over to buffalo which was subject matter of the present case and also assaulted to the informant and his friend. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case, no such occurrence had taken place and due to previous enmity the petitioner has falsely been implicated in the present case and the petitioner is in custody since 25.01.2021.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries eleven more cases other than the present one but he fairly submits that out of eleven cases, the petitioner is on bail in five cases, and rest six cases are pending for consideration, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, nature of allegation as alleged in the FIR and the period of custody, let the petitioner, above named, 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 learned Judicial Magistrate, Khagaria



in connection with Supplementary Pasraha P.S. Case No. 133 of 2019, with the 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/her absence on two consecutive dates without sufficient reason, his/her 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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