

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55494 of 2024

Arising Out of PS. Case No.-22 Year-2022 Thana- CHANDRADIP District- Jamui

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Vinod Yadav son of Umesh Yadav @ Tipu Yadav R/o village- Islamnagar Ps-
Chandradeep Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2024 Heard Mr. Pramod Kumar, learned counsel for the

petitioner and Mr. Bharat Bhushan, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chandradeep P.S. Case No. 22 of 2022, F.I.R. dated 05.03.2022 for the offences punishable under Sections 386, 387 and 34 of the Indian Penal Code.

3. According to prosecution case, some unknown miscreants entered into a factory at midnight and assaulted the informant who was working as a night guard and also took Rs. 20,000/- from his pocket and Rs. 8,000/- from the pocket of other labourers working there.

4. Learned counsel for the petitioner submits that it appears from the F.I.R that the petitioner has clean antecedent



but after lodging of the present F.I.R, the petitioner has been made accused in one Sikandra P.S. Case No. 49 of 2022. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Babloo Kumar and except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, 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 Additional Chief Judicial Magistrate 1st, Jamui in connection with Chandradeep P.S. Case No. 22 of 2022, 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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