

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53605 of 2024

Arising Out of PS. Case No.-338 Year-2022 Thana- PHULPARAS District- Madhubani

Devnath Yadav @ Devnath Kumar Yadav, Son Of Brahmdev Yadav Village-
Sangi, Ps- Phulparas, Dist- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 413, 414, 420, 467, 468 and 478/ 34 of the Indian
Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that on secret information, Murari and Rupesh
were apprehended and from the house of Murari, a motorcycle
and alto car were recovered without any valid documents and
from the house of Rupesh, a motorcycle was recovered without
any valid document and Murari disclosed that petitioner has
purchased a stolen motorcycle.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case based on confessional statement of Murari in police custody, which does not have any evidentiary value. It is also submitted that petitioner is a person with clean antecedent and he never indulged in such activity. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Jhanjharpur, Madhubani in connection with Phulparas P. S. Case No.338 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father Brahmdev Yadav.

7. The application stands allowed.



8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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