

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71715 of 2023

Arising Out of PS. Case No.-345 Year-2022 Thana- PUNPUN District- Patna

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AWDHESH YADAV @ AWADHESH PRASAD @ ABDHESH PRASAD @
SAURABH KUMAR @ SORABH KUMAR SON OF LALAN YADAV
RESIDENT OF VILLAGE- PIPRAPATI (SHIPERPATI), PS- KADIRGANJ,
DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Punpun P.S. Case No.345 of 2022 lodged under Section 379 of
the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom there is
allegation of theft.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner's name has figured in this case by
confessional statement of the co-accused and nothing
incriminating has been recovered from his possession nor he



was put on T.I.P.

5. Counsel further submits that there are 13 criminal cases pending against him in which he is on bail in all cases except a few. He submits that petitioner is in custody since 24.04.2023.

6. Learned counsel for the State opposes the prayer for bail and submits that at the time of consideration of bail, antecedent of the petitioner may be taken into consideration.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Masaurhi, Patna in connection with Punpun P.S. Case No.345 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Gopalpur P.S. Case No.59 of 2011.
- ii. Fatuan P.S. Case No.67 of 2022.
- iii. Fatuan P.S. Case No.31 of 2012.
- iv. Fatuan P.S. Case no.327 of 2011.
- v. Kadirganj P.S. Case No.10 of 2009.
- vi. Kadirganj P.S. Case No.14 of 2010.
- vii. Dhanrua P.S. Case No. 284 of 2021.



viii. Salimpur P.S. Case No.97 of 2017.

ix. Ekangar Sarai P.S. Case No.125 of 2017.

x. Hilsa P.S. Case No.385 of 2016.

xi. Masaurhi P.S. Case No.29 of 2014.

xii. Telhara P.S. Case No.91 of 2018.

xiii. Telhara P.S. Case No.04 of 2018.

(Dr. Anshuman, J.)

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