

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66806 of 2024

Arising Out of PS. Case No.-139 Year-2021 Thana- BAHERA District- Darbhanga

Pappu Yadav @ Pappu Kumar Yadav @ Pappu Kumar S/O- Ramijee Yadav
@ Raman Yadav Village- Katwasa PS- Bahera Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Bahera P.S. Case No. 139 of 2021 registered for the alleged offences under Section 461, 379 of the Indian Penal Code.

03. As per prosecution case, a theft was committed in the dwelling house of the informant in the night and a ladies purse containing three *mangalsutras*, one pendent, one finger ring, three *botta* and one nose pin all weighing 45 grams of gold and 220 gram of silver along with mobile phone and cash of Rs.7,500/- were stolen. The name of the petitioner transpired during investigation for being involved in the theft.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case on the basis of confessional statement of co-accused Chandan Kumar Yadav who is on inimical terms with this petitioner. The said co-accused stated about petitioner stealing mobile but no such mobile has been recovered from person or possession of this petitioner. Except for the confessional statement, there is no material to connect the petitioner with the offences as alleged. Petitioner is having antecedent of three cases of similar nature but in one of the case petitioner has been acquitted and in two such cases he is on bail.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner. Learned A.P.P. submits that petitioner is a habitual offender and has been made accused in altogether three cases.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and also considering lack of material against the petitioner with possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of



learned A.C.J.M., Benipur, Darbhanga in connection with Bahera
P.S. Case No. 139 of 2021, subject to the condition laid down
under Section 438(2) of the Code of Criminal Procedure and other
following conditions:

- (i) One of the bailors will be a
close relative of the petitioner.
- (ii) The petitioner will remain
present on each and every date
fixed by the court below, if so
required by the learned trial
court.

(Arun Kumar Jha, J)

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