

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67433 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- Karnamepur District- Bhojpur

Vishwajeet Yadav S/o- Shio Lagan Yadav Village- Parsonda Tola Ps-
Karnamepur Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2024 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and Mr. Sunil Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.07.2024 in connection with Karnamepur P.S. Case No. 08 of
2024, F.I.R. dated 20.05.2024 for the offences punishable under
Sections 341, 323, 279, 379, 411, 353/34 of the Indian Penal
Code.

3. According to prosecution case, the co-accused
Munna Yadav was arrested with the truck loaded with sand and
he disclosed the name of the petitioner (driver of the truck) who
escaped from the place of occurrence and later on arrested.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused, namely, Munna Yadav and except the aforesaid, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 24.07.2024.

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 has clean antecedent and name of the petitioner has been transpired on the basis of the disclosure made by the co-accused person, 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 the learned Additional Chief Judicial Magistrate I, Bhojpur at Ara in connection with Karnamepur P.S. Case No. 08 of 2024, subject to 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 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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