

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27800 of 2025

Arising Out of PS. Case No.-334 Year-2023 Thana- MADHUBAN District- East Champaran

Bipin Yadav S/O Birendra Rai @ Virendra Yadav R/O Vill.- Jitaura, P.S.-
Madhuban, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Madhuban P.S. case No. 334 of 2023 instituted for the offences
under Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that eight unknown
miscreants on the point of pistol looted motorcycle and mobile
phone of the informant and fled away.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of confessional statement of
the co-accused Prince Kumar. No incriminating/looted article



except mobile phone has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that petitioner has got no concern with the stolen motorcycle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.12.2024 and has two criminal antecedents but he is on bail in both the cases. Learned counsel submits that co-accused, on whose confessional statement petitioner's name has surfaced, has been enlarged on bail by this Court vide order dated 20-05-2024, passed in Cr. Misc. No. 36117 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhuban P.S. case No. 334 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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