

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33253 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- BARHARA District- Bhojpur

Dipak Kumar Yadav @ Dipak Yadav @ Bhanu S/o Dineshwar Yadav R/o vill
- Paiga Gumri, P.S.- Barhara, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2025 Heard Mr. Md. Helal Ahmad, learned counsel for

the petitioner and Mr. Manoj Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barahara (Krishnagadh) P.S. Case No. 47 of 2024, F.I.R. dated 27.01.2024 for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the First Information Report, the informant alleged that on 26.01.2024 when he was returning home on his motorcycle, three individuals on two motorcycles allegedly intercepted him. It is further alleged that one of the accused took away Rs.18,000/- from him.

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



implicated in the present case merely on the basis of confessional statement of the co-accused person, namely, Bhikhari Rai @ Bhikari Yadav and infact the petitioner is not named in the FIR and similarly situated co-accused person, namely, Dineshwar Yadav has been granted the privilege of anticipatory bail by this Court vide order dated 01.10.2024 in Cr.Misc No. 64646 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and similarly situated co-accused person has been granted the privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 CJM, Bhojpur, Ara in connection with Barahara (Krishnagadh) P.S. Case No. 47 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 bond 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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