

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1008 of 2025

Arising Out of PS. Case No.-363 Year-2023 Thana- BIRAUL District- Darbhanga

Deepak Kumar Yadav Son of Kumar Yadav @ Kumhar Yadav Resident of
Village- Kiratpur, P.S.- Jamalpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Madhuwala Kumari

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 363/2023 registered for the offences punishable
under Sections 379 of the Indian Penal Code.

3. As per prosecution case, informant's motorcycle
has been taken away by some one and FIR has been lodged
against unknown.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is not named in the FIR and his name has
been surfaced upon the confessional statement of co-accused
Sunil Kumar Yadav, which is evident from the impugned order.
He further submits that except confessional statement of co-



accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner is languishing in custody since 31.03.2024 and bears criminal antecedent of three cases. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has not been put on TIP uptill now. He further submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Darbhanga in connection with Biraul P.S. Case No. 363/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother



or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(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.

(Alok Kumar Pandey, J)

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