

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11385 of 2015

Arising Out of PS.Case No. -480 Year- 2013 Thana -GANDHIMAIDAN District- PATNA

Vikash Kumar Yadav Son of Late Sudeshwar prasad Yadav Resident of
Near T.B. Centre, Dumri khal, P.O. - BMP-7, Police Station- Katihar,
District - Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma,Sr.Adv.

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 30-04-2015 The petitioner is an accused in Gandhi Maidan P.S. Case
No. 480 of 2013 wherein offences under sections 379, 420, 467,
468, 471 and 120B of the Indian Penal Code were alleged.

The petitioner approached the trial court by filing B. P.
No. 19934 of 2014 before the court of Additional Sessions Judge-
VII, Patna. The same was dismissed on 20-12-2014.

Thereafter, the petitioner had filed Criminal
Miscellaneous No. 1073 of 2015 before this Court and the same
and two other similar bail applications were disposed of by a
common order on 21-1-2015 by taking the view that as the
chargesheet against the petitioners are filed and when
investigation is incomplete, the direction was issued to the
prosecution to complete the investigation within one month. It

was left open to the petitioners to approach this Court for bail.

Heard Mr. Ramakant Sharma, learned senior counsel for the petitioner and Md. Fahimuddin, APP for the State.

The investigation is said to be incomplete on account of the fact that some of the accused are still at large. That, however, is a matter for the prosecution to examine. Once the chargesheet was filed against the petitioners, their continued detention on the ground that other accused are not arrested, cannot be sustained in law. The Court is satisfied that the petitioner deserves to be granted bail subject to certain conditions.

Hence the petition is allowed. The petitioner is directed to be released on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Patna, in connection with Gandhi Maidan P.S. Case No. 480 of 2013, subject to the condition that he shall attend the concerned police station on the 1st and 3rd Saturday of every month between 10 A.M. to 11 A.M. If he fails to appear on two consecutive dates, the bail shall be cancelled. This arrangement shall remain in force till the disposal of the case by the trial court.

B.Roy/-

(L. Narasimha Reddy,CJ)

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