

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23369 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Vivek Kumar Yadav @ Vivek Yadav S/o Late Kamal Kishore Yadav @
Chinju Yadav Resident of Mohalla - Allalpatti, P.S. Laherisarai, District –
Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-05-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in jail custody since
07.01.2016 in connection with L.N.M.U. P.S. Case No. 03 of
2016 registered for the offences punishable under Sections
400, 414, 420, 467, 468/34 of the Indian Penal Code.

The prosecution case, in brief, is that petitioner
along with others has been alleged to have stolen articles,
which were seized from the house of one co-accused and on
the confessional statement of accused, Rohit Sahni, name of
the petitioner along with other co-accused surfaced.



It has been submitted by the counsel for the petitioner that no stolen article has been recovered from the possession of the petitioner and there is recovery of a knife from the possession of the petitioner. He further submits that co-accused, Shashi Singh @ Sashi Singh has been granted bail by a Coordinate Bench of this Court in Cr. Misc. No. 17407 of 2016 on 29.04.2016 from whose possession stolen articles had been recovered and the case of the petitioner is on better footing.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report and bears criminal antecedent, hence, opposes the prayer for bail.

Be that as it may, let the petitioner named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U. P.S. Case No. 03 of 2016.

However, it is made clear that since the petitioner is also accused in three other cases, as is evident from paragraph-3 of this petition, as such, in future, if he is found

to have indulged in similar nature of offence, learned Court below will be at liberty to cancel his bail bonds without being prejudiced by this order.

(Nilu Agrawal, J.)

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