

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9397 of 2016

Arising Out of PS.Case No. -601 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

1. Vikky Kumar Yadav @ Vikky Kumar S/o Nand Lal Yadav resident of
village- Naya Tola Jurebganj, P.S. Kodha, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Narayan Mishra

For the Opposite Party/s : Mr. Ram Naresh Roy (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody since 30.09.2015 in
connection with Bettiah Town P. S. Case No. 601 of 2015
registered for offences punishable under section 379 of the Indian
Penal Code.

The prosecution case, as per the written statement of
the informant, is that on 09.09.2015 at 10.45 hours he had
withdrawn Rs. 1, 00,000/- from the S.B.I. Branch Santi Nagar,
Supriya Road through Green Chanel. The said money had been
kept in small hand bag and Rs. 3000/- also there from before in a
book and many important documents. At 11.45 hours, when the

informant reached at Blue Line Hotel in S.B.I. A.T.M. for enquiring his balance and when he returned within two minutes then he found the dickey of his motorcycle was opened and all articles stolen by some unknown persons.

It has been submitted by the learned counsel for the petitioner that he is innocent and not named in the F.I.R. During course of investigation, in the statement of co-accused Mahendra Yadav and Sanjay Yadav the name of petitioner surfaced. Nothing has been recovered from the possession of the petitioner, he has not been put on T.I.P. and on the basis of suspicion the petitioner has been falsely implicated.

Learned counsel for the petitioner has submitted that co-accused, Sanjay Yadav and Raju Yadav have been granted the privilege of bail by a Co-ordinate Bench of this Court vide order dated 19.02.2016 in Cr. Misc. No. 7845 of 2016.

However, learned A.P.P. for the State opposes the prayer for bail.

Since, confessional statement of co-accused has no evidentiary value in the eye of law and considering the facts and circumstances, the above named petitioner, Vikky Kumar Yadav @ Vikky Kumar is directed to 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah P.S.Case No. 601/2015 with following conditions :-

- I) One of the bailors will be the close relative of the petitioner.
- II) The petitioner will not indulge in similar or in any other offence.
- III) The petitioner will be well represented in the Court.
- IV) In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the Court concerned.

(Nilu Agrawal, J)

Sudha/-

U		T	
---	--	---	--