

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25261 of 2017

Arising Out of PS.Case No. -125 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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Vikash Kumar Yadav @ Vikash Yadav son of Sri Bikrama Yadav @
Rameshwar Yadav resident of Village - Purab Mohalla Jagdishpur, P.S. -
Jagdishpur, District - Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate

For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.02.2017 in
connection with Jagdishpur P.S. Case No. 125 of 2016 for the
alleged offences under Section 394 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated and the First Information Report is against unknown
persons. No test identification parade has been conducted for
identification of the petitioner nor any incriminating articles have
been recovered from his conscious possession. The petitioner's
name has surfaced from the extra judicial confessional statement of
co-accused Sunil Yadav @ Sunil Kumar who has since been granted
bail by this Court in Cr. Misc. No. 14501 of 2017. The petitioner is
already on bail in Jagdishpur P.S. Case No. 357 of 2014 and the only
other case namely, Jagdishpur P.S. Case No. 126 of 2016 has been
instituted arising out of the present occurrence for the alleged
offences under the Arms Act.

4. Be that as it may, having regard to the entirety of the



facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 125 of 2016 on the following conditions :-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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