

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36724 of 2018

Arising Out of PS.Case No. -123 Year- 2016 Thana -MEERGANJ District- GOPALGANJ

=====

1. Vinod Yadav S/o Ram Chandra Yadav @ Ram Chandra Choudhary, R/o
Vill.- Koyladeva, P.S.- Phulwaria, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Ajay Kumar-1

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 21.04.2017
in connection with Mirganj P.S. Case No. 123/2016 registered for
the offences punishable under Sections 395/412 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
admittedly, he was not arrested from the place of occurrence rather
on the basis of confessional statement made before the police by
one abhas Ansari, the petitioner was taken into the custody. The
trolley and tractor were not recovered from the possession of the
petitioner but from near the river side and the petitioner were
taken into custody on the basis of confessional statement made



before the police which has no evidentiary value. It is also submitted that similarly situated co-accused who had named the petitioner has since being extended the privilege of bail in Cr. Misc. No. 28573 of 2018 vide order dated 06.07.2018.

Considering the aforementioned facts and circumstances, let the petitioner above named, 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 the learned 1st Additional Sessions Judge, Gopalganj, in connection with Mirganj P.S. Case No. 123/2016, subject to the following conditions:-

- (1) One of the bailors will be his father.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) 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 reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

Saif/-

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

