

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8099 of 2019

Arising Out of PS. Case No.-228 Year-2017 Thana- BIHARIGANJ District- Madhepura

RAJIV YADAV @ RAJU YADAV, S/o Ram Chandra Yadav, R/o Village-
Mohanpur, P.S- Bihariganj, District- Madehpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 394 of the Indian Penal Code.

Unknown persons robbed the informant and
committed firearm injury to some others at the time of
occurrence. When the informant came to the Police Station the
photo album of the criminal was shown to him and the
informant identified the petitioner.

Learned counsel for the petitioner submits that the
whole purpose of Test Identification Parade was negated by the
Police. The Police should have first arrested the petitioner and
thereafter, he should have been put on Test Identification
Parade instead of showing the photographs to the informant.



Petitioner is in custody since 11.05.2018. Petitioner has been implicated only for the reason that petitioner has got ten criminal cases against him and in most of the cases, F.I.R. is against unknown.

Considering the entire facts, let the petitioner, above named, be released on bail ***after framing of the charges*** on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bihariganj Police Station Case No.228 of 2017, *subject to condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below having immovable property in the jurisdiction of the court below and the petitioner shall fully co-operate with the trial of the case*, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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