

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29002 of 2020

Arising Out of PS. Case No.-76 Year-2020 Thana- BIHIA District- Bhojpur

BIKASH YADAV @ BIKASH KUMAR YADAV Son of Prashuram Yadav
Resident of Village- Kateyan, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-11-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Rajendra Nath Jha, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Bihiya PS Case No. 76 of 2020 registered under Sections 341, 504, 323 and 395 of the IPC.

While the informant's vehicle was being repaired, eight – ten unknown persons have allegedly indulged in assault and abuse and taken away some cash.

It is submitted by learned Counsel for the petitioner that the petitioner having no antecedent has falsely been implicated in this



case merely on the basis of confidential information given by the spy that the petitioner was found moving on the motorcycle in the vicinity of place of occurrence on the next day. It is submitted that there is no recovery from the petitioner of any incriminating materials. He is in custody since 20.3.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

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 ACJM XII Bhojpur at Ara in Bihiya PS Case No. 76 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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