

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 62988 of 2019

Arising Out of PS. Case No.-28 Year-2018 Thana- BANMANKHI District- Purnia

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Vivek Kumar @ Vivek Yadav aged about 24 years, male, Son of Dilip @ Gobbar Singh @ Dilip Yadav @ Dilip Kumar Yadav, Resident of Village- Itahari, P.S.- Janki Nagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mrs. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 24-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Banmankhi P.S. Case No. 28 of 2018 registered for the offence under Section 392 of the Indian Penal Code.

It is case of loot of Rupees three lacs from the informant, who was controller of State Bank Customers Service Point, Dharara, by three unknown miscreants on the gun-point.

It is submitted on behalf of the petitioner that petitioner is not named in the F.I.R. and his name has come during course of investigation on confessional statement of co-accused Md. Mozid. It is further submitted that no incriminating article has been recovered from the possession of the petitioner, nor the petitioner has been put on 'Test Identification Parade'. It



is also submitted that one similarly situated co-accused namely Manoj Sah was already granted bail by this Court, vide order dated 26-09-2018 passed in Cr.Misc. No. 51510 of 2018. In this case, chargesheet has already been submitted and petitioner is in custody since 02-08-2019, having clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Purnea in connection with Banmankhi P.S. Case No. 28 of 2018 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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