

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37972 of 2020

Arising Out of PS. Case No.-273 Year-2019 Thana- EKMA District- Saran

VICKY YADAV ALIAS ADITYA KUMAR YADAV SON OF JAWAHAR
YADAV RESIDENT OF VILLAGE - NAWALPUR, P.S. - DAUDPUR,
DISTRICT - SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-02-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ekma P.S. Case No. 273 of 2019 for the offence registered under
Sections 302, 120(B) and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The case of the prosecution in brief is that while the
informant and his cousin brother Pramod Kumar Singh were
returning on a passenger vehicle after withdrawing money from
the State Bank of India, their vehicle was intercepted by the
accused persons namely, Makeswar Singh, Pinku Singh, Tej
Pratap Singh and Bhanu Pratap Singh whereafter the co-accused
person namely Pinku Singh is stated to have snatched the money
bag from the cousin brother of the informant and then co-accused
person namely Bhanu Pratap Singh had fired gun shots on the



chest of the brother of the informant resulting in his subsequent death.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 24.10.2019. The learned counsel for the petitioner has further submitted that the petitioner is not named in the FIR and there is no allegation of him having either snatched the money bag from the cousin brother of the informant or having fired gun shots on the chest of the cousin brother of the informant and moreover he has been remanded in the present case from another case as such he is having no complicity in the matter. It is further submitted that co-accused person namely Ranvijay Singh @ Dharaka Singh has already been granted bail by a coordinate Bench of this Court vide order dated 18.03.2020 passed in Criminal Misc. No. 82783 of 2019. The learned counsel for the petitioner has lastly submitted that the petitioner is ready to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for



the petitioner and taking into account the materials available on record as also considering the fact that the petitioner has not been named in the FIR and there is no allegation of him having fired gun shots on the deceased apart from the fact that he is languishing in custody since a long time, I deem it fit and proper to direct for release of the petitioner herein on regular bail, however, subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released 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 Additional Chief Judicial Magistrate-I, Saran at Chapra in connection with Ekma P.S. Case No. 273 of 2019.

It is needless to state that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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