

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5123 of 2022

Arising Out of PS. Case No.-927 Year-2020 Thana- MADHEPURA District- Madhepura

Vikash Kumar Yadav S/O Late Prem Yadav R/o village- Naya Tola, Ward No.
1 Jurabganj, P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Madhepura P.S. Case No. 927 of 2020 instituted for the offences
under Sections 379, 356 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.08.2021, charge-sheet has been
submitted in the case and has antecedent of 15 cases.

Learned counsel for the petitioner submits that
informant alleges that he was intercepted by two unknown
criminals who snatched his bag containing Rs. 50,000/- along
with other articles as detailed in the F.I.R. It is further submitted
that similarly situated person namely, Vishal Kumar has been
granted bail by a co-ordinate Bench of this Court vide order



dated 26.05.2022 passed in Cr. Misc. No. 3610 of 2022.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. During the course of investigation, the name of the petitioner came in the confessional statement of another co-accused, namely, Rauki Yadav. It is further submitted that no incriminating articles have been recovered from the possession of the petitioner. Till date, no Test Identification Parade (T.I.P.) has been held in this case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 07.08.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 927 of 2020, subject to the following conditions:-

(1) Petitioner shall co-operate 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/her absence on two consecutive dates without sufficient reason, his/her 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.

(Khatim Reza, J)

Gaurav Kumar/-

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