

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19956 of 2022

Arising Out of PS. Case No.-66 Year-2020 Thana- BELHAR District- Banka

BIKKI YADAV @ VIKASH YADAV @ BIKASH YADAV S/o O.P. Yadav @
Upendra Yadav R/o village- Dariyapur, P.S.- Gangta, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State,

through Virtual Court Proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection Belhar P.S.
Case No. 66 of 2020 registered for the offence under Section
392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 10.01.2022.

The allegation against the petitioner is to commit
robbery and while commit so taken away cash of Rs. 90,000/- of
informant and also his driving license and mobile phone of the
driver of the vehicle.



Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of the confessional statement of co-accused, namely, Pappu Yadav and no incriminating surfaced/recovered during course of the investigation, which may connect this petitioner, with the present set of robbery. It is also submitted that petitioner has not put on TIP. It is also submitted that name of the petitioner surfaced only due to his criminal antecedents as he found involved in 5 criminal cases. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the FIR.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced during course of investigation to connect the petitioner, *prima-facie*, with the present set of occurrence, who is not named in FIR coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Belhar P.S. Case No. 66 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-III,
Banka/concerned court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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