

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23629 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- ISHAKCHAK District- Bhagalpur

CHIKKU YADAV Son of Bablu Yadav Resident of Laluchak Bhata, P.S.-
Ishakchak, District – Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Ishakchak
P.S. Case No. 145/2021 registered for the offences punishable
under Sections 392 of the Indian Penal Code.

As per prosecution case, informant was coming from
bank after withdrawal money in the meantime, two persons
came on motorcycle and snatched Rs.20,000/- alongwith Pass
book and Aadhar Card from the informant and fled away.
Thereafter, the informant with her two sons enquired the matter
and identified the Apache motorcycle and the present petitioner
and co-accused, Ramu Kumar.

Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case due to previous enmity. The present case has filed after lapse of two days of the alleged occurrence and the name of petitioner surfaced in this case due to previous criminal antecedent. Learned counsel for the petitioner submits that no incriminating articles has been recovered from the possession of the petitioner. The petitioner is languishing in custody since 06.10.2021 and bears criminal antecedent of 04 cases in which he is on bail. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M.-XIV, Bhagalpur in connection with Ishakchak P.S.



Case No. 145/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(v) Petitioner shall not live the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

