

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27311 of 2022

Arising Out of PS. Case No.-5 Year-2018 Thana- AGIAON BAZAR District- Bhojpur

SHIVJEE YADAV S/o Bangali Yadav Resident of Village- Akhari Tola, P.S.-
Agiaon Bazar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 31-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Agiaon Bazar P.S. Case No. 05 of 2018 for the offences
under Section 395 of the Indian Penal Code.

As per the FIR, unknown miscreants entered into the
house of the informant and looted various materials that
included cash and jewellery totaling Rs. 1,15,000/-.

Learned counsel for the petitioner submits that he has
already suffered by being in custody since 31.10.2020 (as stated
in paragraph-13 of the bail application), the other co-accused,
namely, Kamlesh Singh, on whose confessional statement name



of the petitioner has been come up, has since been granted the privilege of bail by a co-ordinate Bench of this Court vide order dated 08.05.2018 passed in Cr. Misc. No. 20774 of 2018. He lastly submits that the petitioner is ready to abide by all the terms and conditions imposed by this Court if granted bail.

Considering the fact that the petitioner is in custody since 31.10.2020 and similarly placed co-accused has been released on bail, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge -VI, Bhojpur at Ara in connection with Agiaon Bazar P.S. Case No. 05 of 2018 (Sessions Trial No. 168 of 2021), subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;



(iii) he shall appear before the concerned police station every month till the conclusion of the trial to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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