

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25882 of 2022

Arising Out of PS. Case No.-289 Year-2021 Thana- BAHADURPUR District- Darbhanga

Rakesh Kumar Yadav Son of Manoj Yadav Resident of village - Taralahi,
P.S.- Bahadurpur, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and
learned APP for the State in Virtual Court Proceeding.

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

The petitioner is in custody in connection with
Bahadurpur P.S. Case No. 290/2021 under Sections 25(1-b)
a/26/35 Arms Act.

As per allegation in the FIR, the informant has alleged
that while being driven the van on bypass road, he felt that the
one motorcycle is following him. He tried to speed up his
vehicle but was stopped at the point of revolver. They thereafter
assaulted him and took him to a home and snatched Rs. 5000/-
He informed the police which raided the home and the petitioner
was apprehended. Accordingly, the FIR was lodged.



Learned counsel for the petitioner submits that the police has falsely implicated him in this case. He had no role to play in the matter. He further submits that there is allegation of looting Rs. 5000/- for which he has already suffered a lot by being in jail for more than one year since 30.07.2021 (as stated in para-11 of the bail application).

Taking into account the aforesaid fact as also the fact that the petitioner is in custody since 30.07.2021 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail. However in view of the fact that he has criminal antecedent certain conditions are being imposed.

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 Judicial Magistrate- 1st class, Dharbhanga, in connection with Bahadurpur P.S. Case No. 289/2021 subject to the following conditions:

(i) one of the bailors should be the family members 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 fortnight for next six months to mark his presence;

(iv) 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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