

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28289 of 2022**

Arising Out of PS. Case No.-98 Year-2021 Thana- MANSAHI District- Katihar

Rameshwar Yadav @ Rameshwar @ @ Rameshear Kr Yadav @ Kameshwar
Son of Raju Yadav Resident of Village - Tingachhiya, Ward No.44, P.s.-
Katihar Nagar, Distt.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 25-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The case is registered under section 392 of the Indian
Penal Code in connection with Mansahi P.S.Case No. 98 of
2021.

As per the allegation in the FIR, the accused persons
went to the 'Jai Mata Di' petrol pump and after getting the
vehicle filled for Rs. 50/-, it is alleged that on the point of pistol
they snatched Rs. 8000/- and fled away. Accordingly, the FIR
was lodged and the police arrested one of the culprits, Vikash
Kumar Poddar from the place.



Learned counsel for the petitioner submits that the said Vikash Kumar Poddar made confessional statement before the police naming him as one of the accused person and accordingly he came into judicial custody on 16.11.2021 (as stated in para-21 of the bail application). He submits that although FIR has been lodged but no Test Identification Parade has been done. He lastly submits that Vikash Kumar Poddar has since been released on bail by a Coordinate Bench of this Court (Mithun Poddar) vide Cr. Misc. No. 9082 of 2022 on 27.7.2022.

Considering the fact that the petitioner is in custody since 16.11.2021, the charge-sheet stands submitted and no TIP has been done as also one of the similar placed co-accused has been released on bail as aforesaid, 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 A.C.J.M.-V, Katihar, in connection with Mansahi P.S. Case No. 98 of 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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