

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43538 of 2021**

Arising Out of PS. Case No.-55 Year-2020 Thana- PIPRASI District- West Champaran

Vikash Yadav S/O Chhotelal Yadav R/O Village-Bharpatiya, P.S-Piprasi,
District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Anil Kumar Singh No.1, APP
For the Informant	:	Mr. Abhishek Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 20-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

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

The petitioner seeks bail in connection with Piprasi
P.S. Case No. 55 of 2020 registered for the offence under
Sections 363, 302 and 201 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 31.10.2020.

The allegation against the petitioner is to kidnap the
grand son of the informant and to commit murder.

Learned counsel appearing on behalf of the petitioner
submitted that the name of the petitioner surfaced on the basis



of secret information received by the police. It has further been submitted that the alleged recovery of similar bricks is also from the open place and admittedly the seized register is of the petitioner. It has further been submitted that it is nowhere surfaced during the course of investigation that how the recovered bricks and the seized register is incriminating or connecting the petitioner with the alleged occurrence. While concluding the argument, it has also been submitted that petitioner is a man of clean antecedent and moreover, chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State duly assisted by learned counsel appearing on behalf of the informant. while opposing the prayer for bail fairly conceded the fact that name of the petitioner surfaced on the basis of suspicion.

Considering the facts and circumstances as mentioned above, as recovery is from an open place and has not connect the petitioner with the alleged occurrence coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Piprasi P.S. Case No. 55 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 1st Additional Sessions Judge, Bagaha, West Champaran, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Rambachan Yadav, who is the grandfather of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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