

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35584 of 2022

Arising Out of PS. Case No.-278 Year-2022 Thana- BANKA District- Banka

PANCHU YADAV Son of Hodo Yadav Resident of Village - Chorakol, P.s.-
Banka, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-09-2022 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 Sections 420, 467, 468,
471, 225, 120B of the IPC in connection with Banka P.S. Case
No. 278 of 2022.

The allegation against the two accused persons, the
petitioner herein as well as Vikas Kumar Shah, Advocate are
that they went to the police station along with the release order
of Indradeo Yadav (who was taken into custody in connection
with Banka P.S. Case No. 278 of 2022). The police upon
suspicion, contacted the concerned Court and came to know that
no such release order has been issued. Accordingly, the present



FIR was instituted and the petitioner was taken into custody (2.5.2022).

Learned counsel for the petitioner submits that he is rustic villager, has no relationship with the accused, Indradeo Yadav and was only accompanying the lawyer as a villager along with release order little realizing that the same is forged one for which he has already suffered by being in custody since 2.5.2022 despite the fact that he has no criminal antecedent.

Learned APP, on the other hand, submits that the petitioner dared to take out a forged release order and went along with concerned lawyer and as such he does not deserve bail. However, he concedes that similar placed co-accused Vikas Kumar Shah has since been released on bail.

Taking into account the facts that he has no criminal antecedent, is in custody since 2.5.2022, charge-sheet stands submitted and ultimately he has to face the trial, this Court is inclined to grant him the privilege of bail with strict conditions so that he regularly appear in the trial Court.

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 C.J.M., Banka in connection with Banka P.S. Case No. 278 of 2022 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 month till the conclusion of the trial 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)

Ravi/Ajay Singh

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