

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36890 of 2022

Arising Out of PS. Case No.-95 Year-2021 Thana- KHAJAUJI District- Madhubani

Amresh Yadav @ Amresh Kumar Yadav, Son Of Ram Sagar Yadav, Resident
of village- Chapradhi, P.S- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Shubham, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Khajauli P.S. Case No.95 of 2021 instituted under Sections
392 of the IPC.

As per the prosecution story, the informant has
alleged that he is an employee of L&T Finance Company and
had collected Rs.84,750/- while his associate Sonu Kumar
collected 58,750/-. As they were proceeding towards Khajauli,
they were intercepted by the accused persons who decamped
with the money as also the mobile.

Learned counsel for the petitioner submits that
although he is in custody since 10.11.2021, no T.I. Parade has



been done and the person on whose confessional statement he was taken into custody namely Bhola Yadav, has since been granted bail by Cr. Misc. No. 786/2020 on 12.07.2022 by a co-ordinate Bench of this Court. He however concedes that he do have criminal antecedent.

Considering the aforesaid fact that he is in custody since 10.11.2021, charge-sheet stands submitted, the co-accused has since been granted bail as stated aforesaid, this Court is inclined to grant him privilege of bail subject to certain conditions after framing of the charges.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Khajauli P.S. Case No.95 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Madhubani, subject to 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 reason will entail cancellation of his bail



by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, 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)

Prakash Narayan /-

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