

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38493 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

RAMCHANDRA YADAV SON OF YASHODHAR YADAV @
JOSHODHAR YADAV RESIDENT OF VILLAGE- KHARI, P.S.-
MURLIGANJ, DISTRICT- MADHEPURA Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The petitioner is in judicial custody in connection
with Udakishunganj P.S. Case No. 31 of 2021 for the offences
under Section 395 of the Indian Penal Code.

The allegation in the FIR is that the informant was on
return journey after collection of amount, when he was
intercepted by accused persons. It is further alleged that on the
point of pistol Rs. 1,30,199/- as also scanner, motorcycle and
mobile phone were taken away and thereafter they escaped.
Accordingly, FIR under Section 395 of Indian Penal Code was
lodged.

Learned counsel for the petitioner submits that he is in
custody since 20.02.2022 and nothing has been recovered from



his conscious possession rather the same has been attributed to accused, Sundar Kumar and the petitioner has been implicated in this case only on the basis of confessional statement of said Sundar Kumar.

Considering the aforesaid facts that he is in custody since 20.02.2022, charge sheet stands submitted and nothing has been recovered from his conscious possession, this Court is inclined to grant him privilege of bail after framing of the charges.

Let the petitioner be released on bail after framing of charges on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned ACJM Udakishunganj in connection with Udakishunganj, P.S. Case No. 31 of 2021, subject to the 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/her bail bond by the Trial court itself;



(iii) the petitioner shall leave his/her district (Madhepura) for a period of two month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station concerned (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) 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 the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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