

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50236 of 2022

Arising Out of PS. Case No.-218 Year-2020 Thana- DAUDNAGAR District- Aurangabad

PRAVESH YADAV @ RAM PRAVESH YADAV @ PARMESHWAR
YADAV S/o Birendra Yadav R/o Village- Pustiya, P.S.- Jori, District- Chatra
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

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

The case is registered under sections 395, 397 of
the Indian Penal Code, in connection with Daudnagar P.S. Case
No. 218 of 2020.

As per the prosecution story, the informant alleged
that as the bank was opened and was under cleaning process, the
accused persons entered and assaulted the Guard and forcibly
took away Rs. 64,000/- and later fled away towards Daudnagar.
Accordingly, Daudnagar P.S. Case No. 218 of 2020 was lodged



under section 395 and 397 of the Indian Penal Code.

Learned counsel for the petitioner submits that his name come up on the confessional statement of Raushan Kumar. It is his further submission that although the bank officials himself stated in the FIR that he recognized the accused persons, despite his arrest, no TIP has been done nor anything has been recovered from his possession. His last submission is that Raushan Kumar on whose confessional statement he was implicated has since been released on bail vide Cr. Misc. No. 15962 of 2021.

Taking into account the aforesaid fact that no TIP has been done, there has not been any recovery, he is in custody in this case from 26.5.2022 and the co-accused including the Raushan Kumar have since been granted the privilege of bail, this Court is inclined to grant him the privilege of bail with strict conditions considering the fact that he has around dozen of criminal cases under his belt.

Let the petitioner be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad, in connection with Daudnagar P.S. Case No. 218 of 2020 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 district(Aurangabad) for a period of six months 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 (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every month till conclusion of the trial 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 his bail bonds.



With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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