

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50010 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- TARARI District- Bhojpur

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DHANJEE YADAV SON OF AKHILESH YADAV R/O VILLAGE-
SEDAHA, P.S.- TARARI, DISTRICT- BHOJPUR

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 54658 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- TARARI District- Bhojpur

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AMIT KUMAR @ AMIT KUMAR SINGH S/o Angad Singh R/o village-
Ward No. 1, Sedahan, Sedha, P.S.- Tarari, District- Bhojpur at Ara

... .. petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 50010 of 2022)

For the petitioners/s : Mr.Malay Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh,APP

(In CRIMINAL MISCELLANEOUS No. 54658 of 2022)

For the petitioners/s : Mr.Rama Kant Singh, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh,APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioners and Mr.
Jitendra Kumar Singh, learned APP who represents the State.

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

The petitioners are in judicial custody in connection
with Tarari P.S. Case No. 02 of 2022 for the offences under



Sections 302/394 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant, A.D.M. of Bandhan Bank, Piro alleged that his employee, Vijay Kumar Prasad used to make collections and had gone to Sedaha village and as he was returning, he was killed by unknown persons. Upon reaching the spot, the collected amount as also the other materials and motorcycle were there, only a Samsung Tab was not found. Accordingly, the FIR was lodged and police took up the investigation and subsequently, the name of these two petitioners came up and accordingly, they are in custody.

Learned Senior Counsel submits that only on the ground that the petitioner-Dhanjee Yadav has criminal antecedent, he was picked up and accordingly was made to confess before the police that led to his implication in this case as also on his confession, the second petitioner-Amit Kumar is also in custody.

Learned Senior Counsel submits that although, the petitioners, Dhanjee Yadav and Amit Kumar have been picked up and are in custody since 23.2.2022 (as stated in para-17 of their bail application), no T.I. Parade has been done.

Taking into account the fact that both the petitioners-



Dhanjee Yadav and Amit Kumar are in custody since 23.2.2022 (as stated in para-17 of their bail applications) and charge-sheet stands submitted and as per the averment made by learned Senior Counsel, no T.I. Parade has been done till date, this Court is inclined to grant them privilege of bail with strict conditions.

Let the petitioners 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 Judicial Magistrate, 1st Class, Bhojpur, Ara in connection with Tarari P.S. Case No. 02 of 2022, subject to the following conditions :-

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall leave their district (Bhojpur) for a period of one month after providing name and address and police station of their place of stay during the said period and they shall be duty bound to visit the police station (where they will stay) every week to mark attendance;



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

(v) the petitioners 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 petitioners 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)

Prakash/Ajay/-

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