

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67738 of 2021**

Arising Out of PS. Case No.-237 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

NIKESH KUMAR @ NIKKA YADAV Son of Sakaldev Yadav Resident of
Village- Sapaha, P.S.- Maheshkhunt, District- Khagaria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 13-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Sahebpur Kamal P.S. Case No. 237 of 2020, for the offence
punishable under Section 394 of the Indian Penal Code.

The allegation is of snatching of Rs. 198, 750/- from
informant at the point of pistol by unknown miscreants.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is not named in the F.I.R. Nothing has
been recovered either from his conscious possession or from his
house. The petitioner has not been put on T.I.P. The petitioner is
accused in similar nature of case and due to the said reasons, the



petitioner has been roped in the present case. The petitioner is in custody since 09.11.2020 without having committed any offence.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, no recovery has been made from the physical possession of the petitioner or from his house. The petitioner has not been put on T.I.P. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusari in connection with Sahebpur Kamal P.S. Case No. 237 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned Police Station under which his house is located every fortnight till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the Police Station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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