

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68396 of 2021**

Arising Out of PS. Case No.-299 Year-2021 Thana- DUMRAO District- Buxar

Vikash Yadav Son of Late Satya Narayan Yadav Resident of Village- Nandan,
P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

4 18-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Dumraon
P.S. Case No. 299 of 2021 registered for the offence under
Section 395 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 03.10.2021.

The allegation against the petitioner is to commit
dacoity, while committing so taken away cash of Rs. 7,00,000/-,
jewellery made up of gold, mobile phone, etc., from Utkarsh
Small Finance Bank, where the informant was employed as a
guard.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused Ranjan Paswan, while apprehending in Dumrao P.S. Case No. 326 of 2021. It is further submitted that petitioner was not put on TIP, as yet. It is further pointed out that nothing surfaced/recovered, during the course of investigation, which may connect this petitioner, *prima facie*, with present occurrence of dacoity. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the name of the petitioner surfaced on the basis of confessional statement of co-accused, during the course of investigation.

Considering the facts and circumstances as mentioned above, as nothing surfaced/recovered, during the course of investigation, to connect this petitioner with present occurrence, where he is in custody since 03.10.2021 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dumraon P.S. Case No. 299 of 2021 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar/concerned court, subject to the following conditions:

“(i) That the accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Vikash Kumar, who is the cousin brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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