

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72158 of 2021**

Arising Out of PS. Case No.-150 Year-2020 Thana- BELHAR District- Banka

VIKKI YADAV @ VIKASH YADAV Son of Upendra Yadav @ O.P. Yadav
Resident of Village - Tetariya, P.S. - Gangta, District Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 27-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Belhar
P.S. Case No. 150 of 2020 registered for the offences punishable
under Section 392 of the Indian Penal Code.

As per prosecution case, on 16.05.2020 the
informant alongwith other was going towards poultry farm and
as soon as they reached near Shiv Lok canal bridge, three
miscreants on a motorcycle came and snatched the bag from the
informant containing Rs. 1,25,000/- as well as mobile from
Gulam Murtaza.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR and his name has been surfaced in this case in confessional statement of co-accused Pappu Yadav and except the aforesaid confessional statement, there is nothing on record to demonstrate the complicity of the petitioner with the alleged crime. No TIP has been conducted in this case. He further submits that co-accused Chhotu Kumar Paswan @ Chhotu Kumar has been granted bail by co-ordinate Bench of this court vide Cr. Misc. No. 13313 of 2021 and the case of present petitioner stands more or less on similar footing. Nothing has been recovered from the possession of the petitioner. He further submits that petitioner is in custody since 02.08.2021 and bears three criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail 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, Banka in connection with Belhar P.S. Case No. 150 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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