

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34728 of 2023

Arising Out of PS. Case No.-278 Year-2018 Thana- NARPATGANJ District- Araria

VIKKY YADAV @ BIKRAM BHARTI Son of Shyam Sundar Yadav
Resident of Village - Dhatta Tola, P.S.- Forbesganj, District - Araria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Narpatganj P.S. Case No.278 of 2018 instituted under Sections 392, 411 of the IPC lodged on 14.05.2018 by the informant Tarachand Pauddar.

As per the FIR, informant namely Tara Chand Poddar is that on 14.05.2018, when he was sitting in the office of his Petrol pump, two persons around 2:55 PM came waving a pistol having covered his face, looted Rs.75,000/- from his cash counter as also his mobile. The accused persons also looted Rs 15,000/- from his staff namely Gyas Alam. The three accused also looted Rs 11,000/- from another staff, Ranjeet Kumar. Accordingly, the FIR.

Learned counsel for the petitioner submits that only



because he has fourteen cases under his belt, has been implicated in the case and is in custody since 10.08.2018 (as stated in paragraph-13 of the petition). So far as the allegation part is concerned, the submission is that neither he is named in the FIR nor anything has been recovered from his possession and despite judicial custody, has not been put on T.I. parade.

Learned APP opposes the prayer stating that he has number of criminal cases under his belt.

Considering the period of custody that the petitioner has undergone and no T.I. Parade done nor anything recovered from his conscious possession as submitted, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Narpatganj P.S. Case No.278 of 2018 to the satisfaction of learned A.C.J.M.,Vth, Araria, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) 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;

(v) the petitioner 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.

(Rajiv Roy, J)

Prakash Narayan /-

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