

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36159 of 2023

Arising Out of PS. Case No.-403 Year-2020 Thana- SAHPUR District- Bhojpur

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BHIKHARI YADAV @ DEEPU YADAV Son of Mahesh Yadav Resident of
Village- Chhotka Purwa, PS- Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2023 Heard the parties.

The petitioner is in custody in connection with Shahpur P.S. Case No. 403 of 2020 for the offence under Section 394 of the Indian Penal Code lodged on 03.12.2020 by the informant, Anuranjan Kumar Verma.

As per the prosecution story, the informant alleged that he owns his jewellery shop and was returning home carrying gold and silver ornaments in his bag, on way, he was intercepted by three motorcycle borne accused persons and after opening fire, injured him and took the bag. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that though he is in custody since 16.02.2022 (as stated in paragraph 14 of the petition), till now he has not been put on T.I. parade and has



been implicated one after another in fifteen criminal cases.

Learned APP, on the other hand, submits that the allegation is not only the snatching of the bag, but also opening fire against the accused persons.

Taking into account the submissions put forward by the learned counsel for the petitioner, his period of custody since 16.02.2022 as also that no T.I. parade has been done, this Court is inclined to extend him the privilege of bail after framing of the charges with conditions.

Let the petitioner 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 A.C.J.M.-1st, Bhojpur, Ara, in connection with Shahpur P.S. Case No. 403 of 2020 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 month till the conclusion of the trial to mark his 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 his bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

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