

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36139 of 2023

Arising Out of PS. Case No.-489 Year-2022 Thana- DALSINGHSARAI District- Samastipur

RAJIV RANJAN YADAV @ RAJIV KUMAR @ NEERAJ @ RAJEEV
KUMAR YADAV S/O NARENDRA YADAV @ NARAYAN YADAV R/O
Village-Kahra Kutti Ward No.-12 P.S.-Saharsa Distt.-Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection
with Dalsinghsarai P.S. Case No.489 of 2022 instituted under
Section 392 of the IPC lodged on 02.12.2022 by the informant
Abhishek Anand.

As per the FIR, while informant was at his General
Merchant Shop, four unknown persons entered his shop and
made query about the price of the rice but all of sudden they
demanded money. Out of fear, the informant took out Rs/-
50,000 (Fifty Thousand only) from drawer and gave them.
Thereafter they took Rs/-105000/- (One Lakh five Thousand
only) from the Drawer as also coins of Rs/-3000/- (Three
Thousand only). Thereafter they fled away through the two



bikes. Accordingly, the FIR.

It has been submitted by the learned counsel for the petitioner that he was taken into custody in connection with Samastipur Town P.S. Case No.01 of 2023 from which he has been implicated in this case also.

Learned APP opposes the prayer stating that he has criminal antecedent of the same nature.

Considering his period of custody 07.02.2023 (as stated in para-7 of the petition) as also that despite being in custody, no T.I. parade has been done nor anything recovered, this Court is inclined to extend him privilege of bail after framing of the charges.

Let the petitioner be released on bail after framing of the charge on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Dalsinghsarai P.S. Case No.489 of 2022 to the satisfaction of learned Additional Chief Judicial Magistrate, Ist, Samastipur, 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 month for next one year 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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