

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35946 of 2023

Arising Out of PS. Case No.-111 Year-2021 Thana- SAHPUR District- Bhojpur

BHIKHARI YADAV @ DEEPU YADAV S/O MAHESH YADAV R/O
Village- Chhotka Purwa, P.S- Brahmpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, 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 Shahpur P.S. Case No.111 of 2021 instituted under Section 392 of the IPC lodged on 23.04.2021 by the informant Sunil Kumar.

As per the FIR, four accused persons riding two motorcycles even took the informant's vehicle and on the point of revolver looted the pickup van after forcing them to get out of the vehicle. In the process they also looted the cash and the mobiles. They anyhow reached the police station in the morning and lodged the FIR.

It is the case of the learned counsel for the petitioner that he has been falsely implicated in this case, remanded to judicial custody on 16.02.2022 (as stated in para-14 of the



petition) but no T.I. parade has been done nor anything recovered from his conscious possession. The last submission is that similarly placed co-accuseds, namely, Binod Yadav @ Binod Kumar vide Cr. Misc. No.58566 of 2021, Ravi Ranjan Rajak vide Cr. Misc. No.59078 of 2021, Ranjan Chaudhary vide Cr. Misc. No.14279 of 2022 have been granted bail by this Court.

Learned APP opposes the prayer submitting that he has more than a dozen criminal antecedent under his belt.

Taking into account his period of custody as also the fact that no T.I. parade has been done nor anything recovered from his conscious possession and similarly placed co-accuseds granted bail, 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 Shahpur P.S. Case No.111 of 2021 to the satisfaction of learned A.C.J.M., Ist, Bhojpur, 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 till the conclusion of the trial 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 /-

U		T	
---	--	---	--

