

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50098 of 2023

Arising Out of PS. Case No.-119 Year-2019 Thana- BARBIGHA District- Sheikhpura

Jarikan Yadav @ Deva Yadav @ Dev Yadav@ Dev Kumar Son Of Suresh
Yadav Resident Of Village - Badhanpura, Ps- Jairampur, (BARBIGHA),
Distt- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed. Rizwanul Haque, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Barbigha (Mission O.P.) P.S. Case No.119 of 2019 instituted under Sections 341, 323, 379,307/34 of the IPC lodged on 13.05.2019 by the informant Praveen Kumar.

As per the prosecution story, the accused persons intercepted the informant and successfully snatched his bag having Rs.1,10,000/- in it. In the process, the informant was also assaulted. Accordingly, the FIR.

It is the case of the petitioner that a minor scuffle between the informant and the accused persons led him to lodge the FIR on false narration. He do not have criminal antecedent and similar placed co-accused Lakshman Yadav has since been released on bail by a coordinate bench in Cr. Misc. No.48383 of



2023.

Let the same be kept on record.

Learned APP opposes the prayer for bail stating that allegation is of snatching the bag.

Considering the submissions put forward by the learned counsel for the petitioner as also that he do not have criminal antecedent and is in custody since 01.06.2023 (para-17 of the petition), this Court is inclined to extend him privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

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 Barbigha (Mission O.P.) P.S. Case No.119 of 2019 to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, 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 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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