

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66166 of 2022

Arising Out of PS. Case No.-55 Year-2021 Thana- SIKARHATTA District- Bhojpur

VIKASH YADAV @ VIKASH KUMAR SINGH S/O Radha Singh R/O
Village- Thengwan, P.S- Char Pokhri, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nandan Prasad Singh, Advocate
Mr. Kumar Sameer, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

The petitioner apprehends his arrest in connection
with Sikarhatta P.S. Case 55 of 2021 for the offence registered
under Sections 353, 506 and 307/34 and Section 27 of the Arms
Act.

As per the prosecution story, the police alleged that
when they were on patrolling duty, they found motorcycle
without registration no. trying to escape and despite the police
tried to stop, accused persons fled away. The two motorcycles
was followed by Alto Car and the further allegation is that the
those riding the motorcycle and Alto Car also opened fire.
Accordingly, the FIR was lodged.



The defence case is that he is related to one Sunil Yadav @ Sunil Singh against whom cases have been lodged and simply because he happens to be his brother, has been dragged in this Case. It is his further submission that even the criminal antecedent that has been attributed is outcome of the same theory inasmuch he being the brother of Sunil Yadav @ Sunil Singh, the petitioner stands implicated.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Considering the aforesaid facts as also the kind of allegation that has come against the petitioner, this Court is inclined to extend him privilege of anticipatory bail with conditions.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of ACJM-VIII, Ara, District- Bhojpur in connection with Sikarhatta P.S. Case No. 55 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C with further 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/her 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;

(vi) the petitioner shall co-operate in the investigation and made himself available to the police as and when required;

(Rajiv Roy, J)

Jagdish/Neha/-

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