

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72982 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- BANGAWON District- Saharsa

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AJAY YADAV @ AJAY KUMAR S/O ACHHELAL YADAV R/O
VILLAGE- BARIYAH, WARD NO. 10, POLICE STATION- BANGAON,
DISTT.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection with Bangaon P.S. Case No. 31 of 2023 instituted under Section 392 of I.P.C. lodged on 24.03.2023 by the informant, Md. Saddam.

3. As per the prosecution story, the allegation is that the poor Gas Vendor who was returning home was surrounded by accused persons and looted Rs. 30,000/-. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement of co-accused, Chotu Kumar, and though he has been arrested on 30.04.2023 (para-15 of the bail petition), no T.I. Parade has been conducted.



5. Learned APP opposes the prayer for bail stating therein that he has criminal antecedent of same nature and further loot has been made from the poor gas vendor.

6. Though it is unfortunate that a Gas Vendor who moves around the city for the entire day providing cylinder was targetted/ looted, in view of the fact that the petitioner is in custody since 30.04.2023 and no T.I. Parade has not been conducted, this Court is inclined to grant him privilege of bail but only after the framing of charge as he is criminal antecedent.

7. Let the petitioner be released on bail after framing of charges on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Saharsa, in connection with Bangaon P.S. Case No. 31 of 2023, 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 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.

(Rajiv Roy, J)

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