

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73816 of 2022

Arising Out of PS. Case No.-278 Year-2022 Thana- BANKA District- Banka

INDRADEO DURBEY @ INDRADEO YADAV Son of Late Sildhar Durbey
@ Sildhar Yadav Resident of Village - Chorakole, P.S.- Banka, District -
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Jha, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection
with Banka P.S. Case No. 278 of 2022 (G.R. No.- 1129/2022)
instituted under Sections 420, 267, 468, 471, 225 and 120(B) of
the I.P.C. lodged on 01.05.2022 by the informant Alok Kumar.

As per the FIR, on 01.05.2022, one Vikash Kumar
Sah and co-accused Panchu Yadav produced fake surrender bail
slip having been issued by C.J.M. Office, Banka and tried to
release the petitioner (Indradeo Durbey @ Indradeo Yadav),
who was in custody in connection with Banka P.S.Case No.- 33
of 2020.

The submission of the learned counsel for the
petitioner is that he being in jail, whatever happened, it was not



done by him and has already suffered by being in custody since 29.06.2022 (as stated in paragraph-10 of the petition).

Learned APP opposes the prayer stating that on forged document the accused tried to come out of the jail.

Taking into account the fact that admittedly the role of forging the letter has been assigned to other co-accuseds, who have since been granted the privilege of bail, he is in custody since 29.06.2022, this Court is inclined to extend him privilege of bail.

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 Banka P.S. Case No. 278 of 2022 (G.R. No.- 1129/2022) to the satisfaction of learned C.J.M., Banka, 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)

Prakash Narayan /-

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