

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74108 of 2022**

Arising Out of PS. Case No.-384 Year-2021 Thana- AMARPUR District- Banka

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ARVIND YADAV @ ARVIND KUMAR YADAV S/o Chano Yadav R/o
Village- Dumrama, P.S.- Amarpur, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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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 Amarpur P.S. Case No. 384 of 2021 instituted under Sections 392 of the I.P.C. pending in the Court of learned Chief Judicial Magistrate, Banka lodged on 26.07.2021 by the informant Prince Kumar.

As per the FIR, the prosecution story, in brief, is that on 26.07.2021, the informant Prince Kumar along with Vijay Paswan was going to Bhagalpur on Splendor Motor Cycle after receiving Rs. 3,00,000/- from one Kanhaiya Lal Purshottam Das. It was further alleged that when the informant reached



between Majhgayn and Makdumma village, three miscreants riding on an Apache Motorcycle obstructed the informant and snatched the alleged money from his possession and fled towards English More.

With the help of the different paragraphs, it has been contented that although is in custody since 14.02.2022 (as stated in para-10 of the petition), no T.I. parade has been done and as para-11 and 12 of the petition, the other co-accuseds have been granted bail in Cr. Misc. No.31580/2022 (Pawan Kumar Singh) and Cr. Misc. No.40171 of 2022 (Lalu Kumar Singh) by co-ordinate benches of this Court.

Learned APP opposes the prayer for bail.

Considering the aforesaid facts that similar co-accused have been granted bail, no T.I. Parade done, is in custody since 14.02.2022 (as stated in para-10 of the petition), this Court is inclined to grant him relief.

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 Amarpur P.S. Case No. 384 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Banka/successor Court, 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/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 bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next 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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