

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55053 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Vikash Kumar Yadav @ Vikash Yadav @ Vikash Kumar Son of Mantu Yadav
Resident of Village - Naya Tola, Ward No.- 01, Police Station - Kodha,
District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55136 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Shiva Yadav son of Late Vishal Yadav Village-Naya Tola Jurabganj W.No-1,
Ps- Kodha Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55053 of 2024)

For the Petitioner/s : Mr. Prafull Chandra Thakur, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

(In CRIMINAL MISCELLANEOUS No. 55136 of 2024)

For the Petitioner/s : Mr. Prafull Chandra Thakur, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 23-10-2024 Heard Ms. Madhubala Kumari, learned counsel for

the petitioners and the State.

The petitioners are in custody in connection with

Saharsa Sadar P.S. Case No. 184 of 2024 for the offence

punishable under sections 392 of the Indian Penal Code lodged

on 27.02.2024 by the informant, Meera Kumari.



3. As per the prosecution story, the informant alleged that she went to the bank to withdraw the amount and as was returning on E-rickshaw, the same was snatched by the accused. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only because of the criminal antecedent, they are in custody. Despite being in custody since 29.02.2024 (para 11 of the petition), no TI parade has been conducted. Further, if granted relief, they shall be diligently appearing in trial and in case, if they are implicated in any further criminal case, the State/Court shall cancel the present bail bond.

5. Learned APP opposes the prayer for bail submitting that though no TI parade conducted, so far as this petitioner, Vikash Kumar Yadav is concerned, he has number of criminal antecedents, while the other petitioner, Shiva Yadav is also having criminal antecedent.

6. Though the criminal antecedents are there, the fact remains that despite being in custody since 29.02.2024, no TI parade has been conducted, it is the undertaking of the learned counsel that they shall be diligently appearing in trial and further in case, they are involved in any other case, the Trial Court shall immediately take steps for cancellation of their bail



bond, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Saharsa in connection with Saharsa Sadar P.S. Case No. 184 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month till the conclusion of the trial to mark their attendance;

(iv) the petitioners 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 petitioners shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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