

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60242 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- SONBERSA District- Sitamarhi

Vikash Kumar Yadav @ Vikas Kumar Son of Dev Prasad Yadav @ Amardev
@ Amardev Prasad Yadav @ Devprasad Yadav Resident of Vill- Bahurwa
Ward No. 4, P.S.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard Mr. Shashank Shekhar, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is in judicial custody in connection with Sonbarsa P.S. Case No. 160 of 2024 for the offences punishable under Section 414 of the Indian Penal Code lodged on 25.05.2024 by the informant, Kumar Prabhakar.

3. As per the prosecution story, during patrolling, a tractor was asked to stop, it tried to leave the place, intercepted, those sitting were apprehended and documents asked for, as they failed to produce, seized which followed the FIR.

4. Learned counsel for the petitioner submits that he being a villager took lift little knowing that the tractor is stolen one for which he has already suffered by being in custody since



25.05.2024 (para-5 of the petition) though he concedes that he has criminal antecedent.

5. Learned APP opposes the prayer stating that he was one of the persons riding the tractor which was stolen one.

6. Considering the submissions put forward by the parties as also his period of custody, he has remained in custody since 25.05.2024, FIR lodged, will be facing the trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors 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 month for next one year to mark his



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 his bail bonds.

(Rajiv Roy, J)

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