

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4305 of 2015

Arising Out of PS.Case No. -106 Year- 2014 Thana -AGLOAN (GARHAUI) District- BHOJPUR

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Bajari Yadav, son of Birja Singh, R/o Village – Sikaria, P.S. Agiaon (G),
District – Bhojpur at Ara (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 02-02-2015

Heard both sides.

The petitioner seeks regular bail in Agiaon (G) P.S.
Case No. 106 of 2014 registered under Sections 341, 323, 395 &
506 of the Indian Penal Code.

Nand Kumar, the driver of the truck bearing
registration no. 407 WB-37C-5650, alleged that an attempt was
made to commit dacoity of his truck but, on alarm, the accused
persons started fleeing away. Three persons were arrested.

Learned counsel for the petitioner submits that the
petitioner is one of the three persons, who were arrested on the
spot, but the petitioner has got no criminal antecedent. On mere
mistaken identity, the petitioner was apprehended by the police
but nothing has been recovered from his possession. One of the
co-accused, namely, Mantu Yadav, who is said to have fled away,

has already been enlarged on bail vide order dated 28.01.2015 passed in Cr. Misc. No. 3600/2015. The petitioner is in jail since 09.09.2014.

Considering the facts that the petitioner is in jail for about five months for committing robbery and he has got no criminal antecedent, the above named petitioner is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in Agaion (G) P.S. Case No. 106 of 2014.

(Prabhat Kumar Jha, J)

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