

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5689 of 2016

Arising Out of PS.Case No. -162 Year- 2013 Thana -BIHRA District- SAHARSA

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1. Raja Ram Yadav S/o Dukha Yadav R/o Village- Bishanpur, Tola
Barahghura, P.S.- Bihra, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra, Advocate

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bihra P.S.
Case No. 162 of 2013 registered for the offence punishable under
Section 392 of the Indian Penal Code.

Allegedly, three motorcycle borne criminals overtook
the motorcycle of the informant, snatched the motorcycle and
further after assaulting with the butt of the country made *Katta*,
snatched gold chain, mobile and bag containing documents and
thereafter, they fled away.

Submission is of false implication and that the
informant has described the age of miscreants as 23-25 years but
the petitioner is more than 50 years, the police has implicated the

petitioner falsely, nothing has been recovered from his possession, he has not been put on T.I.P. and, as such, the petitioner deserves sympathetic consideration who is suffering in custody since 13.08.2015.

The learned A.P.P. opposes the prayer of bail by submitting that witnesses namely, Ajay Kumar, Mithlesh Yadav, Kari Yadav and Shyam Sundar Yadav vide para 6-9 of the case diary have identified the petitioner and petitioner is involved in eight more similar cases.

In the facts and circumstances stated above, at this stage, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer for bail after remaining further six months in custody.

(Jitendra Mohan Sharma, J)

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