

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47330 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -BARACHATTI District- GAYA

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Deonandan Yadav @ Deonandan Kumar S/o Late Ramdeo Yadav, resident
of Village- Bumer, P.S.- Barachatty, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-11-2016 Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Barachatty P.S. case No.76
of 2016 instituted for the offence under Section 392 of the Indian
Penal Code, pending in the court of A.C.J.M., Sherghatty, District
Gaya.

The prosecution case, in brief, is that the informant,
who is driver of Truck bearing registration No.JH-10AD-3839,
along with khalasi proceeded from Varanasi to Purulia with wheat
loaded truck and when reached near Kewalia more he stopped the
truck and went for ease and when he came after easing, three
culprits came and on the point of pistol snatched Rs.80,000/- from
him and also took away his purse containing driving licence,
smart card and Rs.2000/-. Thereafter the culprits fled away on two



motorcycles.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.3.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. He has not been named in the F.I.R. He has been made accused on the basis of his self confession made in Barachatty P.S. case No.80 of 2016. There is no recovery of any incriminating article from the possession of the petitioner. The other co-accused, namely, Manoj Kumar who was also apprehended along with the petitioner, has been granted bail vide Cr.Misc.No.36056 of 2016.

On behalf of the State, it is submitted that the petitioner has got three criminal cases pending against him and in Test Identification Parade he has been identified by the witnesses.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected.

(Sudhir Singh, J)

Narendra/-

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