

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50185 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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RAHUL YADAV @ RAHUL KUMAR

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Manish Kumar 2, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-11-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is languishing in custody since
29.04.2016 in a case registered for the offences punishable under
Section 392 of the Indian Penal Code.

The prosecution case, in brief, is that while the
informant was coming from his motorcycle, after withdrawing Rs.
49,000/- from Punjab National Bank, Bikramganj, two unknown
persons came from behind on Apache motorcycle and took away
Rs. 49,000/- from the informant and fled away.

It has been submitted by the learned counsel for the
petitioner that charge sheet has already been submitted in the
aforesaid case hence there is no chance of tampering with the
evidence and the petitioner is not named in the F.I.R. It is only on

the basis of confessional statement of one Harendra Sah, the name of the petitioner has surfaced. Neither T.I.P. Parade nor any recovery has been made from the possession of the petitioner. He further submits that on similar allegations, co-accused Ajit Kumar has already been granted privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 30653 of 2016 dated 14.09.2016.

Learned A.P.P. for the State submits that although the petitioner is not named in the F.I.R., his name surfaced during investigation being opposes the prayer for bail. .

Be that as it may, since similar situated co-accused has already been granted bail, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.J. 1st cum Additional Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Bikramganj P.S.Case No. 13 of 2016.

(Nilu Agrawal, J)

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