

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50202 of 2016

Arising Out of PS.Case No. -351 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

=====

1. Shyam Yadav @ Shyam Kishore Yadav Son of Mahendra Yadav
Resident of village - Gidarpur, P.S. Hulasganj, District Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-11-2016

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner is languishing in judicial custody since 03.09.2016 in connection with Makhdumpur P.S. Case No. 351 of 2015, for the offences alleged under Section 379 of the Indian Penal Code.

The prosecution case as alleged by the informant, who is Zonal Manager of State Bank of India is that the A.T.M. machine installed in the house of one Abshesh Mishra at Tehta has been stolen by unknown persons containing Rs. 9,50,000/-.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated on the basis of some cases pending against him. It is further submitted that he has been implicated only

on the basis of confessional statement of co-accused Ramashray Kewat, which has no evidentiary value in the eye of law. It is further submitted that another co-accused, for the same offence, has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 49312 of 2016, dated 26.10.2016. It has also been submitted that investigation against the petitioner has been completed and Charge-sheet has been submitted.

Accordingly, 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 Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P. S. Case No. 351 of 2015.

(Nilu Agrawal, J)

P.K./-

U		T	
---	--	---	--