

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20634 of 2016

Arising out of PS.Case No. -21 Year- 2016 Thana -KAKO District- JEHANABAD

Rajesh Yadav @ Rajesh Kumar, Son of Sri Ram Shakal Yadav @ Shakaldeo Yadav, resident of Village- Audan Bigha, P.S.- Barabar (Makhdumpur), District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Kumar, Advocate.

For the Opposite Party : Mr. L.K. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 04.03.2016 in connection with Kako P.S. Case No. 21 of 2016 for the offences instituted under Sections 461, 379 and 427 of the IPC.

The prosecution story, in brief, is that on 08.02.2016 at mid night, some unknown miscreants are said to have broken the shutter of ATM(ATM ID GFBU000100011) and they have committed theft of cash box alongwith cash of Rs. 11,56,000/-. However, the approximate value of damaged ATM is about Rs. 3,00,000/-.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 04.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. His name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned A.C.J.M., Jehanabad, in connection with Kako P.S. Case No. 21/2016.

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(Sudhir Singh, J)