

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.7216 of 2017**

Arising Out of PS.Case No. -175 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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Bikash Kumar Yadav @ Bikash Yadav Son of Manoj Yadav, Resident of  
Village- Sakrula Chak, P.S. Babarganj, District Bhagalpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tarun Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Sri Amitesh Kumar, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      06-03-2017                      Heard learned counsel for the petitioner and the State.

Petitioner is languishing in judicial custody since 13.10.2016 in connection with Mojahidpur (Babarganj) P.S. Case No. 175 of 2016 for offence alleged under Sections 379, 411, 307/34 of the Indian Penal Code and 3 of the Explosive Substance Act.

The prosecution case is that the police on secret information found the petitioner along with one his associate committing theft from the State Food Corporation. The petitioner was found to be taking 90 kg of wheat in three jute bags. Accordingly, a seizure list was prepared. The other co-accused hurled bombs.

It has been submitted by the learned counsel for the



petitioner that he is innocent as he has not committed any offence and has no criminal antecedent. It has further been submitted that the seizure list bears the P.S. Case no. which itself raises suspicion as the place of occurrence was State Food Corporation.

However, learned Additional P.P. opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and materials available on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 175 of 2016 subject to the condition that one of the bailors must be a close relative of the petitioner and the petitioner will appear before the Court below as and when required.

**(Nilu Agrawal, J)**

Prakash/-

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