

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1555 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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1. Munna Yadav, Son of Sri Sakaldev Yadav, resident of Rajajan, P.S.
Mansi, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abul Kalam

For the Opposite Party/s : Mr. Sri Pranav Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioner as well as learned
A.P.P. for the State.

The petitioner seeks bail in connection with Chautham P.S.
Case No. 77/2016, registered for the offences punishable under
Sections 392/34 of the Indian Penal Code.

FIR has been registered against unknown persons with
allegation that while the informant and his brother were returning to
their home from Sonbarsa on his motorcycle and as soon as reached
near Jawahar Nagar Tol, four armed miscreants intercepted them and
dragged them and looted their mobiles and Honda motorcycle and
also Rs. 7,600/- which was kept in the motorcycle. During
investigation the name of the petitioner transpired in the confessional
statement of co-accused Lalo Yadav.

Submission is of false implication and that the petitioner is



not named in the FIR. He is in custody since 22.11.2016, but he has not been put on T.I.P. Nothing has been recovered from conscious possession of the petitioner and besides the confessional statement, there is no legal and tangible material against the petitioner. The said motorcycle has already been recovered from possession of Raja Paswan and in that case the petitioner is not an accused and as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that during investigation name of the petitioner has transpired.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate III, Khagaria in connection with Chautham P.S. Case No. 77/2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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