

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26894 of 2017

Arising Out of PS.Case No. -272 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Pintu Yadav, son of Rajendra Yadav, Village- Jurabganj, P.S.- Korha,
District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Babita Kumari, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in custody since 23.11.2015
in connection with Aurangabad Town P.S. Case No. 272/15 for
the offences alleged under Section 392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he had withdrawn Rs. 5 lakhs from HDFC Bank and
was coming along with Chhotu Kumar with money, two pillion
riders snatched the cash and fled away.

It has been submitted by the learned counsel for the
petitioner that he is not named in the First Information Report and
has been falsely implicated in the aforesaid case only because he
has a past criminal history and in earlier case i.e. Nokha P.S. Case



No. 125/15 he has confessed his guilt before the police, which is his extra judicial confession and not admissible in the eye of law. He submits that no recovery has been made from the possession of the petitioner and another co-accused Amit Yadav, who has been identified in T.I. Parade, has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 3985 of 2017 on 15.03.2017 and other accused persons have also been granted the privilege of bail by this Court.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials 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 learned Judicial Magistrate, 1st Class, Aurangabad, in connection with Aurangabad Town P.S. Case No. 272/15, subject to the condition that if petitioner indulges in an offence of similar nature in future, the learned court below will be at liberty to cancel his bail bonds.

(Nilu Agrawal, J)

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