

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54893 of 2017**

Arising Out of PS.Case No. -19 Year- 2017 Thana -BARHARA District- BHOJPUR

Omkar Yadav, S/o Raj Kishor Yadav, R/o Village- Saraiyan, P.S.-  
Krishnagarh (Barhara), District- Bhojpur. .... Petitioner.  
Versus

The State of Bihar. .... Opposite Party.

**Appearance :**

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Smt Renu Kumari

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**

## ORAL ORDER

02 15-12-2017 Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in Barhara (Krishnagarh)  
P.S. Case No. 19 of 2017 registered under Section 395 of the  
Indian Penal Code.

As per the prosecution case, six unknown miscreants are said to have looted the tractor, mobile phone and cash of Rs.150/- of the informant on the point of pistol. The tractor was later on abandoned by the miscreants on giving chase by the informant and the villagers.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. No incriminating article has been recovered from his conscious physical possession. There is nothing on record indicating the complicity of the



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petitioner in the occurrence barring his confessional statement recorded before the police which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 18.08.2017. Similarly situated co-accused Thakur Yadav has been enlarged on bail by this court in Cr. Misc. No. 38185 of 2017 vide order dated 11.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Barhara (Krishnagarh) P.S. Case No.19 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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