

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14974 of 2019

Arising Out of PS. Case No.-593 Year-2018 Thana- BAGHA District- West Champaran

DASHRATH YADAV son of Banarsi Yadav, Resident of Village-
Shastrinagar, Ward No. 15, P.S.- Bagaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr.Ram Bachan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 06.12.2018 in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379/34 of the Indian Penal Code and Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case got initiated on the basis of written report dated 05.12.2018 submitted by Ranjan Kumar Chaurasiya to the Station House Officer, Bagaha Police Station is to the effect that while the informant and one Vicky Kumar was travelling in an auto rickshaw in which other persons were also travelling, but on the way, Rs.37,500/- was snatched by the petitioner, Dashrath Yadav and 3-4 unknown



persons. Though he was tried to be caught by said Vicky Kumar, but the accused person assaulted him with a 'bakua'. Ultimately, one person who is alleged to have snatched the bag of the informant containing Rs.37,500/- and handed over to his associates was apprehended in inebriated condition after being chased by the police, who disclosed his name as Dashrath Yadav, the petitioner.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the petitioner was apprehended from the spot and there is no recovery from the conscious physical possession of the petitioner. It is further submitted that the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner has confessed his guilt. And is named in the FIR.

Considering the confessional statement made before the police, there being no recovery from the petitioner and the investigation being concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned Special Judge (Excise), Bettiah, West Champaran in connection with Bagaha P.S. Case No. 593 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

