

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18195 of 2019**

Arising Out of PS. Case No.-185 Year-2018 Thana- MAHESHKHUNT District- Khagaria

Romio Kumar Yadav Son of Dharam Yadav, Resident of Naya Tola, Jidebani
(Naya Tola Jurabganj), P.S.- Kordha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Shankar Prasad Singh

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 02-04-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection with
Maheshkhut PS case no. 185 of 2018 registered for the offence
punishable under Section 379 of Indian Penal Code.

The allegation, according to the informant, is that
while he withdrew Rs. 3,00,000/- from the Union Bank of India and
went to the house of his acquaintance, four persons riding on two
motorcycles broke open the dickey of the motorcycle and fled away
with the said Rs. 3,00,000/-. On chase, two co-accused persons,
including the petitioner herein, were apprehended but two persons on
another motorcycle fled away with the money.

The learned counsel for the petitioner submits that
the petitioner has been falsely implicated in the present case. It is
further submitted that nothing has been recovered from the conscious



possession of the petitioner and the confessional statement of the petitioner before the police has no evidentiary value in the eyes of law. It is further submitted that charge sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses. It is further submitted that the petitioner is having clean antecedent and he is languishing in custody since 25.12.2018. Lastly, it is submitted that the similarly situated co-accused has already been granted bail by a co-ordinate Bench of this Court vide order dated 27.03.2019 passed in Cr. Misc. no. 16379 of 2019.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Khagaria in connection with Maheshkhut PS case no. 185 of 2018.

(Mohit Kumar Shah, J)

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