

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23776 of 2019**

Arising Out of PS. Case No.-438 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Mahabir Yadav Son of Rambilash Yadav Resident of Village- Bhagwan
Bigha, P.S.- Daudnagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Syed Ehteshamuddin

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

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Daudnagar P.S. Case No. 438 of 2018 registered under Section
392 of the Indian Penal Code.

Four unknown miscreants are said to have looted Rs.
1,80,000/- of the informant and several mobile phones of the
informant and his colleagues on the point of pistol.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case at the instance of his
enemy and due to dirty village politics. He is neither named in the
FIR nor was apprehended on the spot nor any incriminating article



has been recovered from his conscious physical possession. He was not put on TIP. There is nothing on record indicating the complicity of the petitioner in the occurrence. He has been languishing in custody since 29.12.2018.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

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 S.D.J.M., Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 438 of 2018.

(Prakash Chandra Jaiswal, J)

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