

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37802 of 2019

Arising Out of PS. Case No.-166 Year-2017 Thana- KATORIYA District- Banka

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DIWAKAR YADAV @ DIWAKAR KUMAR YADAV @ DIWAKAR KUMAR, aged about 30 years, Male, S/o Ashok Yadav @ Ashok Prasad Yadav, R/o village- Kairwar, P.S.- Jaipur, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Md. Nurul Hoda, Advocate.

For the Opposite Party : Mr.Arun Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-06-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 18.03.2019 in a case for the offence registered under Section 394 of the IPC.

The prosecution story, in brief, is that on 25.09.2017 at 6.30 P.M., four unknown criminals riding on three Motorcycles surrounded the Motorcycle of the informant and on the point of pistol, tried to snatch the money. On protest, the informant was assaulted by them causing head injury. Thereafter, they took Rs. 70,000/-, Laptop and Mobile from the Dickey of the informant and also took the Plug of his Motorcycle and thrown in a Bush.

It has been submitted by learned counsel for the



petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. The petitioner has not been put on T.I. Parade. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Banka in connection with Katoria P.S. Case No. 166 of 2017.

(Sudhir Singh, J)

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