

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38249 of 2019

Arising Out of PS. Case No.-28 Year-2014 Thana- MASAUHRI District- Patna

AWADHESH YADAV S/o Lalan Yadav R/o village- Pipati, P.S.- Didarganj,
District- Patna Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Kumari Sujata Sinha
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 04-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Masaurhi P.S. Case No. 28 of 2014 registered for the offence punishable under Sections 395 and 412 of the Indian Penal Code.

As per allegation in the FIR, the accused persons on point of pistol took away various articles including battery etc. on the pick-up van. It is further submitted that on information being passed, the police intercepted the aforesaid pickup van from which three accused persons, namely, Mahesh Yadav, Himanshu Kumar and Santosh Kumar were arrested and they disclosed the name of the petitioner and others, as the ones who had managed to escape.

It is submitted by learned counsel for the petitioner that similarly situated co-accused have been enlarged on bail by



this Court. The details of which are (i) Mantosh Kumar, vide order dated 12.06.2014 passed in Cr. Misc. No. 22518 of 2014 (ii) Himanshu Kumar, vide order dated 05.01.2015 passed in Cr. Misc. No. 23642 of 2014 and (iii) Mahesh Yadav, vide order dated 02.04.2015 passed in Cr. Misc. No. 8921 of 2015. It is further submitted that neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioner is in custody since 23.01.2019 and that similarly situated co-accused persons have been enlarged on bail, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Masaurhi, Patna in connection with Masaurhi P.S. Case No. 28 of 2014.

(Partha Sarthy, J)

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