

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50725 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- PHULPARAS District- Madhubani

RAMAN YADAV S/o Yasho Lal Yadav R/o village- Konar, P.S.- Phulparas,
District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 27-11-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner who is in custody since
21.02.2019 seeks bail in connection with Phulparas P. S.
Case No. 35 of 2019 dated 05.02.2019, corresponding
to G.R. No. 193 of 2019, instituted for the offences
under Sections 382 and 511 of the Indian Penal Code.

From the perusal of the F.I.R., it appears that
an attempt was being made by unknown accused
persons to take away the Bolero Vehicle belonging to the
informant. This was spotted by the wife of the informant
who raised hullah on which many persons arrived.



It has further been alleged in the F.I.R. that on earlier occasion also, the petitioner had stolen a vehicle from in front of the Veranda of the informant, for which a case had earlier been lodged. With respect to the other unknown accused persons, it has been stated that enquiry was being made by the informant.

Learned counsel for the petitioner has submitted that only because the petitioner has bad antecedents and he is an accused in 9 cases of similar nature, he has been named in the F.I.R. However, the accusation in the subject F.I.R. does not inspire confidence in as much as when the wife admittedly saw the attempt of stealing the vehicle, there was no justification of allowing the accused persons to get away from the place of occurrence. The allegation of firing by the accused persons also appears to have been added for the purposes of adding seriousness to the offence.

Apart from this, the identification of the petitioner by the informant in the light of the vehicle



which was brought by the accused persons also appears to be doubtful.

Considering this aspect of the matter and taking into account that in all other cases in which the petitioner has been made accused, he is on bail, this Court is inclined to grant bail to the petitioner in this case.

The petition is allowed.

The petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Jhanjharpur, District – Madhubani in connection with Phulparas P. S. Case No. 35 of 2019 dated 05.02.2019, corresponding to G.R. No. 193 of 2019.

(Ashutosh Kumar, J)

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