

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54332 of 2019

Arising Out of PS. Case No.-211 Year-2019 Thana- LAKHISARAI District- Lakhisarai

MAHESH YADAV @ UMESH YADAV Son of Bhuneshwar Yadav Resident
of Village- Kundar, P.S.- Chanan, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad

For the Opposite Party/s : Mrs.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 395 and 397 of the Indian Penal Code and 3 and 4 of Explosive Substance Act.

Prosecution allegation, in short, is that the accused persons variously armed on the point of gun looted ornaments and cash from the house of the informant and also assaulted family members.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.3.2019. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. It is alleged



that the looted articles are said to have been recovered from the possession of the petitioner. The petitioner had no knowledge that the articles in question are looted articles. The looted articles have not been put on TIP to ascertain whether the said are looted or not. The petitioner has been made accused due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 211/2019.

(Sudhir Singh, J)

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