

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67665 of 2019

Arising Out of PS. Case No.-531 Year-2017 Thana- BANKA District- Banka

JANARDHAN YADAV @ JANBARI YADAV, aged about 25 years, Son of
Bhumeshwar Yadav, Resident of Village - Desharia, P.S.- Banka, District-
Banka.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Mukherjee, Advocate.

For the Opposite Party : Mr.Md. Aslam Ansari,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 395, 397 of the IPC and $\frac{3}{4}$ of
Explosive Substance Act.

The prosecution story, in brief, is that on 26.08.2017
at about 11.30 P.M. the informant and his family members were
sleeping inside their house and at that time at about 14-15
unknown persons forcibly entered into his house after breaking
the main door and then brutally assaulted the inmates of the
house including the ladies and looted cash, jewellery, boxes



containing costly items. When some co-villagers came there after hearing noise then some of the accused persons pelted bomb over the door to terrorise the co-villagers and thereafter they went away. It is further stated that all the accused persons had tied cloth on their mouth hence, were not identified.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 22.08.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated 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. The name of the petitioner has come in the present case on the basis of confessional statement of co-accused. He has not been put on T.I. Parade. There is no recovery of any incriminating article from possession of the petitioner. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 67415 of 2019 under order dated 22.10.2019.

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, 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 C.J.M.
Banka, in connection with Banka P.S. Case No. 531 of 2017.

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(Sudhir Singh, J)

