

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77263 of 2019**

Arising Out of PS. Case No.-202 Year-2019 Thana- ITARHI District- Buxar

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SANJEET KUMAR YADAV @ SONU YADAV S/o Sri Kishun Yadav R/o
village- Chakki, J.P. Dera, P.S.- Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Prasad, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
07.08.2019 in a case registered for the offence punishable
under Section 392 of the Indian Penal Code.

The prosecution case is that on 29.07.2019, the
informant, being the truck driver along with his brother being
cleaner of the vehicle was carrying stones from Madhya
Pradesh to Buxar (Bihar), but on the way, his cash, a mobile
phone and other articles were robbed, leading to registration of
FIR against unknown. The name of the petitioner sprang up on



the basis of confessional statement of co-accused and from the house of the petitioner Rs.2000/- is alleged to have recovered.

It is submitted by learned counsel for the petitioner that the petitioner has maliciously been framed in the present case on the basis of confessional statement of co-accused. In fact, the alleged recovered amount has not been put on Test Identification Parade. Moreover, the investigation has already been concluded and similarly situated co-accused, Mukesh Singh @ Karan Singh, has been granted bail by a Co-ordinate Bench of this Court vide order dated 04.11.2019 passed in Criminal Miscellaneous No. 67485 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the name of the petitioner sprang up on the basis of confessional statement of co-accused.

Considering the fact that the investigation has already been concluded and similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent , let the above named petitioner be released on bail, on furnishing



bail bond of Rs.10,000/- (ten thousand) with two sureties of
the like amount each to the satisfaction of learned ACJM-VI,
Buxar, in connection with Itarhi P.S. Case No.202 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/-

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