

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12740 of 2020

Arising Out of PS. Case No.-73 Year-2018 Thana- AKBARPUR District- Nawada

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BATASA @ KISHORI YADAV @ KARU YADAV, age 24 years, Gender- Male, Son of Prayag Yadav, Resident of Village - Mahuli, Police Station- Nawada, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Man Mohan Kumar, Advocate.

For the Opposite Party : Mr.Satyavrat Verma,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Section 394 of the IPC.

The prosecution story, in brief, is that on 17.03.2018 while the driver was returning with the Truck of informant's brother at Patna, 3-4 unknown came and captured the driver on arms point and robbed and took away the Truck. On the way, hands of driver and cleaner were tied by accused and in Dhanua Forest, they were left out from the vehicle and Mobile was damaged and Rs. 55,000/- was taken from driver. The driver went to the house of local Chaukidar and informed about the incident.



It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 04.12.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted 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. The petitioner has not been put on T. I. Parade. There is no recovery of any incriminating article from possession of the petitioner.

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 A.C.J.M. Ist, Nawada, in connection with Akbarpur P.S. Case No. 73 of 2018.

(Sudhir Singh, J)

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