

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12724 of 2020**

Arising Out of PS. Case No.-260 Year-2019 Thana- DAUDNAGAR District- Aurangabad

MAHABIR YADAV, aged about 45 years (Male), Son of Late Rambilash Singh, Resident of Village-Bhagwan Bigha, P.S. Daudnagar District- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Bachan Jee Ojha, Advocate.

For the Opposite Party : Mr.Pramod Kumar Pandey, A.P.P.

**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 393 of the IPC.

The prosecution story, in brief, is that on 10.08.2019 while the informant who is driver of the Truck and Khalasi were opening the Tyre of the Truck due to puncture, they saw that 3-4 unknown persons were coming towards them holding knife in their hands. They escaped from there and informed the police. They alongwith the police reached there and found some pins on the road. It was suspected that those 3-4 unknown persons had scattered the pins on the road in order to theft.

It has been submitted by learned counsel for the



petitioner that the petitioner is in custody since 15.10.2019. 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. His name 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 S.D.J.M., Daudnagar, Aurangabad, in connection with Daudnagar P.S. Case No. 260 of 2018.

**(Sudhir Singh, J)**

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