

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30934 of 2020

Arising Out of PS. Case No.-134 Year-2019 Thana- ARER District- Madhubani

RAMAN YADAV, aged about 35 years, Male, S/O Late Ram Bahadur Yadav,
Resident of Village Jhojhi, P.S. Arer, District Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pranav Kumar Jha, Advocate.
For the Opposite Party : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Section 395 of the I.P.C.

The prosecution story, in brief, is that on 28.12.2019
while the informant alongwith her family members was sleeping
in her house, in the meantime, in the night, 10-12 persons



entered into her house and took ornaments, cash and other articles from her on the point of knife and pistol. Her daughter-in-law (*Putohu*) identified some persons like Chalittar Thakur who took chain, ring and Top from the informant and Lalit Kamat who has lifted her grand-son (*Pota*) and other accused also.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 05.02.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has inspired in the present case on the basis of confessional statement of co-accused. The petitioner has not been put on T.I. Parade to ascertain his participation in the alleged occurrence. 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. 18904 of 2020, annexed as Annexure-2 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.



Considering the facts and circumstances of the case, the petitioner above named, is directed to 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, Benipatti (Madhubani), in connection with Arer P.S. Case No. 134 of 2019.

(Sudhir Singh, J)

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