

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15822 of 2021

Arising Out of PS. Case No.-159 Year-2020 Thana- RANIGANJ District- Araria

CHHOTU KUMAR YADEV @ BIWEKANAND YADEV @ CHHOTI
YADEV S/o Kalanand Yadev Resident of Village- Barbanna, P.S.- Raniganj,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Ritambhara, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-09-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 395 and 397 of
the Indian Penal Code.

As per the prosecution case, the accused persons
looted Rs.10,000/- besides other articles from the truck of the
informant.

It is submitted by learned counsel for the petitioner
that the petitioner is not named in the FIR. Neither he was
arrested at the place of occurrence nor any incriminating article
has been recovered from his possession. The name of the
petitioner transpired in the confessional statement of a co-



accused made before police and the allegation of recovery of a motorcycle is false and concocted. The petitioner is in custody since 5.11.2020 but has not been put on T.I. Parade. He has no criminal antecedent and charge sheet has been submitted in the case.

Heard learned APP for the State.

A report was called for with respect to the antecedent of the petitioner from the Superintendent of Police, Araria. From the report received, contained in letter dated 2.9.2021, the petitioner has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for over 10 months and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Raniganj P.S. Case no. 159 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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