

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20598 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- ARER District- Madhubani

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BAIJU KUMAR YADAV SON OF JAY PRAKASH YADAV RESIDENT OF
VILLAGE NARAR P.S KALUAHI DISTRICT MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-10-2021 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 section 392 of the Indian Penal Code.

As per the prosecution case, three accused persons overtook the informant and on the point of revolver dispossessed him of his belongings including a mobile phone, Rs. 7,000/- in cash, a tablet of a Bank etc. and went away on the motorcycle.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in course of investigation. The material being relied on against the petitioner is the confessional



statement of co-accused made before the police which is inadmissible. It is further submitted that no incriminating article has been recovered from the petitioner's possession and he has not been put on T.I. parade inspite of being in custody since 29.6.2020.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for 1 year 3 months, the petitioner is directed to be enlarged on bail in connection with Arer P.S. Case no. 7 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 Additional Chief Judicial Magistrate 3rd, Benipatti district Madhubani.

(Partha Sarthy, J)

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