

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23045 of 2021

Arising Out of PS. Case No.-144 Year-2015 Thana- RAJAON District- Banka

Arbind Kumar Yadav S/O Upendra Yadav R/O Village- Khiddi, P.S.- Rajoun,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-07-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Rajoun P.S. Case No.144 of 2015 registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case as narrated by the informant who is a businessman in the medicine sector is that the petitioner along with co-accused persons on the point of *katta* looted the bag of the informant which contains Rs. 2,50,000/- money while he was



returning along with one *Simple Kumar Singh* after collecting the said amount.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. Petitioner is not named in the F.I.R.. No incriminating article has been recovered from his conscious physical possession. He submits that petitioner has not been put on T.I. parade till date. He submits that petitioner was apprehended in another case i.e. Rajoun P.S. Case No. 161 of 2015 on the basis of confessional statement of co-accused and thereafter, the police has remanded the petitioner in the present case on the same basis which has got no evidentiary value in the eye of law. He further submits that similarly situated co-accused has been granted bail *vide* order dated 21.12.2020 in Cr. Misc. No. 33771 of 2020 by a co-ordinate Bench of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has one criminal antecedent as has been mentioned in para 3 of the bail application and in the said case he is on bail and petitioner is languishing in custody since 07.01.2021.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajoun P.S. case No. 144 of 2015.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

