

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32174 of 2021

Arising Out of PS. Case No.-130 Year-2019 Thana- KATORIYA District- Banka

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SHAMBHU YADAV Son of Surendra Yadav Resident of Village -
Maholiyadih, P.S.- Katoriya, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-12-2021 Heard learned counsel for the parties.

Petitioner seeks regular bail in connection with
Katoriya P.S. Case No. 130 of 2019 registered for the offence
under Section 379 / 356 of the I.P.C.

The prosecution story in brief is that the informant
along with one Sintu Kumar were going on motorcycle and they
were intercepted by four unknown persons who were coming
from opposite direction on two motorcycles and the accused
persons snatched a bag containing a sum of Rs. 44,520/- from
Sintu Kumar and fled away.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. and has falsely been
implicated in this case on the basis of confessional statement
made by the co-accused / Sunil Kumar Yadav. He further
submits that the motorcycle which was used in the commission
of crime belongs to Sunil Kumar Yadav and the said Sunil
Kumar Yadav has been granted bail by the court below itself.
Learned counsel next submits that other similarly situated



accused persons namely, Rajiv Yadav and Dabloo Yadav have been granted bail by different Co-ordinate Benches of this Court in Cr. Misc. Nos. 7290 of 2020 & 16528 of 2020 respectively, the petitioner is in custody since 12/12/2019 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that no incriminating material and / or looted money has been recovered from the possession of the petitioner and similarly situated accused persons have been granted bail by different Co-ordinate Benches of this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Sri Nitish Kumar Panjiar, learned Judicial Magistrate First Class Banka, District- Banka in connection with Katoriya P.S. Case No. 130 of 2019.

praful/-

(Anil Kumar Sinha, J)

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