

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37688 of 2021**

Arising Out of PS. Case No.-272 Year-2020 Thana- SABAUR District- Bhagalpur

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GOLU KUMAR YADAV @ MITHILESH YADAV Son of Ganesh Yadav
Resident of Village - English Farka, P.S. - Sabour, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Sabour(Goradih)
P.S. Case no. 272 of 2020 registered for the offence punishable
under sections 399, 412 of the Indian Penal Code read with
section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 29.09.2020, is person with clean
antecedent and charge sheet has been submitted. Learned
counsel for the petitioner submits that from perusal of the
allegation as alleged in the FIR, it would manifest that the
informant alleges that petitioner along with three accused
attempted to loot his vehicle and even fired while they were
trying to flee, police came and chased the miscreants and



petitioner was apprehended while others fled away from the place of occurrence. Learned counsel submits that it is case of attempt but petitioner has been falsely implicated in this case as it has been alleged that there was also firing when attempt was made to loot but no empty cartridge was recovered from the place of occurrence. Further, it is submitted that occurrence took place on 27.9.2020 at 10.30 p.m. but FIR was registered on 28.9.2020 at 8.30 p.m, and FIR itself goes to show that it was the police who apprehended the petitioner but delay in instituting the FIR is creating suspicion.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody , charge sheet has been submitted and petitioner is a person with clean antecedent, the petitioner 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 Chief Judicial Magistrate, Bhagalpur in Sabour(Goradih) P.S. Case no. 272 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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