

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34737 of 2020

Arising Out of PS. Case No.-129 Year-2020 Thana- BAIRIYA District- West Champaran

Nandlal Yadav, aged about 19 years, Gender-Male, son of Lal Babu Yadav,
Residence of Village - Haat Saraiya, P.S.- Bairiya, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Binay Kumar, Advocate.
For the Opposite Party : Mr. C. Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 394 of the I.P.C. and 37(c) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on 26.03.2020
while the informant was returning on motorcycle to his house
after purchasing medicines, three persons stopped him. Out of
them, one person took Rs. 1,000/- and Mobile Phone from his
pocket. On objection, second one pushed him from the
motorcycle and third one assaulted with *Bamboo* on the head of



the informant causing head injury. All were in drunken state. The police came and arrested co-accused Shyambabu Patel. He disclosed the name of petitioner and other co-accused who fled away from the place of occurrence.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 05.06.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Neither there is recovery of any incriminating article from possession of the petitioner nor the petitioner has been put on T.I. Parade to ascertain his participation in the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of the learned Special Judge, Excise, Bettiah, West
Champaran, in connection with Bairiya P.S. Case No. 129/2020.

(Sudhir Singh, J)

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