

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34730 of 2020

Arising Out of PS. Case No.-21 Year-2018 Thana- KATORIYA District- Banka

DEBU YADAV Son of Radhe Yadav Resident of Village - Gouripur, P.S. and 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.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-01-2021 Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of two weeks.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Section 394 of the Indian Penal Code.

Allegedly, while the informant along with his two brothers having closed his shop was returning his home, in the way, four unknown persons intercepted them. One of the miscreants caught collar of the informant and assaulted him with butt of the gun. It is also alleged that Rs. 15,000/- was snatched from the right pocket of the informant. When the brothers of the informant came to rescue him, they were also assaulted.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner is in custody since 10-07-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has not been put on test identification parade to ascertain his participation in the alleged occurrence. There is no recovery from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Banka in connection with Katoriya P.S. Case No. 21 of 2018.

(Sudhir Singh, J)

A.K.V.//-

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

