

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9170 of 2021**

Arising Out of PS. Case No.-417 Year-2018 Thana- BRAHMPUR District- Buxar

RINKU YADAV SON OF LATE SARAL YADAV @ LATE SHIV MUNI
YADAV R/o village- Khochariyawan, P.S.- Bagengola, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 07-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Brahmpur P.S. Case No.417 of 2018, registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case in short is that on 01.09.2018, when the informant arrived 1 Km. far from Brahampur Chowk, three criminals came from Apache Motorcycle and surrounded his motorcycle and pushed him. Thereafter, they snatched his motorcycle's key and on the point of gun, took his mobile with sims, Rs. Three Thousand and fled away.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken



place. He has not been put on Test Identification Parade. No incriminating article has been recovered from the conscious physical possession of the petitioner. Neither he is named in the F.I.R nor he was apprehended on the spot. His name came on the basis of confessional statement of one Bhikhari Yadav. The petitioner has 23 criminal antecedents, as mentioned in paragraph-3 of the bail application and has been languishing in custody since 24.04.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, I am not inclined to grant bail to the petitioner named above.

Accordingly, bail application is hereby dismissed.

However, petitioner is at liberty to renew his prayer for bail **after framing of charge.**

(Anjani Kumar Sharan, J)

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