

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9799 of 2021

Arising Out of PS. Case No.-191 Year-2020 Thana- BANKA District- Banka

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NIRAJ YADAV@ TILO YADAV@ NIRAJ KUMAR S/o- ANANDI YADAV
Resident of Village- Belutikar, P.S. and Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-06-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in Banka P.S. Case No. 191
of 2020, registered for the offence punishable under Section 392
of the Indian Penal Code.

As per the prosecution case, co-accused Kundan
Yadav along with two unknown accused persons looted three
goats, some cash and motorcycle of the informant on the gun
point.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. Name of this petitioner has



come in this case on the basis of confessional statement of co-accused Kundan Yadav. Nothing has been recovered from his conscious possession. Petitioner has not been put on Test Identification Parade till date and investigation is complete. Petitioner is in custody since 14.04.2020.

Learned APP however, vehemently opposed the prayer for bail and submitted that stolen motorcycle of the informant was recovered from the house of this petitioner which is apparent from the seizure list and petitioner has got criminal antecedent.

Considering the facts aforesaid and the fact that stolen motorcycle was recovered from the house of this petitioner, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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