

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22160 of 2021

Arising Out of PS. Case No.-423 Year-2017 Thana- HILSA District- Nalanda

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AJAY YADAV Son of Chandraqdeep Yadav Resident of Village - Braham
Asthan, P.S.- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-01-2022 Heard Mr. Birendra Kumar, learned Advocate for
the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Hilsa P.S. Case No. 423 of 2017 dated 29.06.2017 instituted for the offences under Section 395 of the Indian Penal Code.

An FIR under Section 395 IPC was registered against unknown. Six months later, name of 16 persons including the petitioner was arraigned in the column of the accused persons. From the house of the petitioner, certain recoveries were made. Those recoveries are the wearing apparel and the lady's garments.

Learned counsel for the petitioner has submitted that except for the aforesaid recovery and the confession of arrested accused persons on suspicion, there is no other material to connect the petitioner with the offence.



The female garments including sarees which have been recovered are very few in number and those could be found in any household with any lady member. The aforesaid articles have not been identified to be stolen or looted property in any proceeding in any case whatsoever.

The petitioner at the time of lodging of this case was not an accused in any case whatsoever but later, he has been made accused in a case vide Hilsa P.S. Case No. 440 of 2017 which was registered against unknown.

Regard being had to the aforestated facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Hilsa, Nalanda in connection with Hilsa P.S. Case No. 423 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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