

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31609 of 2022**

Arising Out of PS. Case No.-213 Year-2020 Thana- LAUKAHA District- Madhubani

Abhinandan Yadav S/o Lakshman Yadav R/o Village - Atari, P.S. - Laukahi,
District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 30-08-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

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

Petitioner seeks regular bail in connection with
Laukaha P.S. Case No.213 of 2020 registered for the offence
under Section 392 of the Indian Penal Code.

As per the allegation, three miscreants snatched away
the motorcycle and mobile phone from the possession of the
informant by putting him in fear by showing a pistol and
thereafter the informant started making search and enquiry with
regard to his looted motorcycle and got the information that two
co-accused persons namely Naresh Yadav and Shambhu Yadav



were involved in the alleged loot and thereafter the informant approached them but he was threatened by them and thereafter he lodged the present case.

The main submissions advanced by the learned counsel Mr. Ashok Kumar for the petitioner are that the petitioner has been languishing in jail since 17.07.2021, against him the investigation has been completed and his name surfaced in the statement of the co-accused and against him there is no legal evidence to connect him to the alleged offence of loot. Further submission is that two co-accused persons namely Naresh Yadav and Shambhu Yadav who are named in the FIR have been granted bail by different benches of this Court vide orders passed in Cr. Misc. No. 12628 of 2021 and 66443 of 2021 respectively.

Learned APP Mr. Shyameshwar Dayal appearing for the State has opposed the bail prayer.

In view of above submissions and considering the fact that two co-accused persons named in the FIR have been granted bail by different benches of this Court vide orders passed in above-mentioned criminal miscellaneous cases and petitioner is not named in the FIR and he has taken the plea that after his arrest, any incriminating material has not been



recovered from his possession and he has not been put on Test Identification Parade and also taking into account the petitioner’s custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 the concerned Court in connection with Laukaha P.S. Case No.213 of 2020.

(Shailendra Singh, J.)

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