

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42030 of 2021

Arising Out of PS. Case No.-662 Year-2020 Thana- AMARPUR District- Banka

DEGAN YADAV S/O LATE CHANDESHWARI YADAV RESIDENT OF
VILLAGE-GORA, POLICE STATION-BANKA, DISTRICT-BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Amarpur (Fullidumar) P.S. Case No. 662 of 2020 for the offence
registered under Section 392 of the Indian Penal Code.

The allegation is regarding unknown miscreant having
intercepted the motorcycle of the informant whereafter they had
snatched the motorcycle of the informant and had fled away.

The learned counsel for the petitioner has submitted that
the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 05.04.2021.
The learned counsel for the petitioner has further submitted that
the name of the petitioner has transpired in the present case upon
disclosure made by the co-accused person namely Kailash Yadav
in his confessional statement and apart from that there is no
material on record to connect the petitioner with the alleged crime.



It is also submitted that no T.I. Parade has been held till date so as to connect the petitioner with the alleged crime and moreover the stolen motorcycle has not been recovered from him.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime nor the looted motorcycle has been recovered from the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Banka/successor Court, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 662 of 2020.

(Mohit Kumar Shah, J)

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