

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51710 of 2021**

Arising Out of PS. Case No.-48 Year-2021 Thana- TARABARI District- Araria

1. AWDHESH YADAV @ PANDUP YADAV S/o RAM KISHUN YADAV R/o VILLAGE-BINODPUR, WARD No.8, P.S-BOUNSI, DISTRICT-ARARIA.
2. BINESH KUMAR YADAV @ VINESH YADAV S/o RAM SOURAP YADAV R/o VILLAGE-DORIYARE, P.S-BOUNSI, DISTRICT-ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10789 of 2022

Arising Out of PS. Case No.-48 Year-2021 Thana- TARABARI District- Araria

MUNNA YADAV S/o Brahamanand Yadav @ Brahm Yadav R/o Village - Binodpur, P.S. - Baunsi, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 51710 of 2021)

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 10789 of 2022)

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 30-03-2022 Heard learned counsel for the parties.

The three petitioners in the two applications have prayed for grant of regular bail in connection with Tarabari P.S. Case no. 48 of 2021 registered under section 392 of the Indian Penal Code.



As per the prosecution case, it is stated by the informant that three accused persons on motorcycle on the point of pistol dispossessed the informant of his motorcycle as also other articles including Rs. 63,000/- in cash. In spite of chase by the informant and other villagers, the accused managed to escape.

It is submitted by learned counsel appearing for the three petitioners in the two applications that the FIR was registered against unknown. It was in connection with Kursakanta P.S. Case no. 59 of 2021 registered under section 392 of the Indian Penal Code that one accused Jitendra Rathor gave his confession before the police wherein he took the name of the three petitioners herein. Further in course of investigation on the police going to the house of one Jiwach Yadav, it is stated that the three petitioners were seen fleeing away and on search the stolen motorcycle was recovered from the house of Jiwach Yadav. It is submitted that no incriminating article has been recovered from the possession of the petitioners nor from their house. In spite of the petitioners being in custody since 22.6.2021, they have not been put on T.I. parade. Chargesheet has been submitted in the case.

Heard learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the facts of the case, chargeheet having been submitted in the case and the petitioners being in custody for 9 months, the three petitioners are directed to be enlarged on bail in connection with Tarabari P.S. Case no. 48 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Araria.

(Partha Sarthy, J)

Spd/-

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