

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50121 of 2022

Arising Out of PS. Case No.-432 Year-2021 Thana- NATHNAGAR District- Bhagalpur

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RAM SHARAN YADAV S/o Late Bhakti Yadav Resident of vill - Dighi, P.S.
- Nathnagar (madhusudanpur), Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Anita Kumari Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection
with Nathnagar (Madhusudanpur) PS case no. 432 of 2021
instituted for the offences punishable under Section 392 of
Indian Penal Code.

The allegation is regarding unknown accused
persons having intercepted the informant, while he was
returning to his house after closing his jewelry shop on the
alleged date and time of occurrence, whereafter, a sum or
Rs. 18,000/- was also snatched from him.

The learned counsel for the petitioner submits
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and is languishing in



custody since 03.06.2022. The learned counsel for the petitioner has further submitted that the informant has not named the petitioner as one of the accused persons in the alleged incident and his name has transpired in the present case, upon the confessional statement made by the co- accused person namely Sanoj Yadav, who was apprehended by the police in connection with Tilkamanjhi PS case no. 568 of 2021. It is also submitted that a bare perusal of the impugned order dated 27.07.2022 would show that the informant had appeared in person before the learned court below and had filed a compromise petition.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been named in the FIR nor any test identification parade has been held so as to connect the petitioner with the alleged crime, apart from the fact that he is having a clean antecedent and is languishing in custody since 03.06.2022, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to



be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, Bhagalpur in connection with Nathnagar (Madhusudanpur) PS case no. 432 of 2021.

(Mohit Kumar Shah, J)

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