

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61690 of 2021**

Arising Out of PS. Case No.-191 Year-2021 Thana- NATHNAGAR District- Bhagalpur

BUDHAN YADAV @ BUDHO YADAV Son of - Munilal Yadav Resident of
Village- Sarmaspur, Kohda, Near Hanuman Mandir, P.S.- Lodipur Gauradiha,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 31-03-2022 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No. 191 of 2021 for the
offence registered under Section 392 of the Indian Penal Code.

The allegation is regarding unknown miscreant having
committed loot in the shop of the petitioner on pistol point
whereafter they had taken away a sum of Rs. 22500/-.

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 30.06.2021. The learned
counsel for the petitioner has submitted that the petitioner is being
falsely implicated by his neighbour namely Arvind Yadav repeatedly
and in fact the other two cases in which the petitioner has been
implicated has also been filed at the instance of the said Arvind



Yadav. It is also submitted that the petitioner has already been granted bail in the other two cases which are pending against 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 recovery of the looted cash amount has been made from the petitioner apart from the fact that he is languishing in custody since nine months, 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 Judicial Magistrate-1st Class, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 191 of 2021.

(Mohit Kumar Shah, J)

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