

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65839 of 2021**

Arising Out of PS. Case No.-357 Year-2019 Thana- MURLIGANJ District- Madhepura

SONU YADAV Son of Arvind Yadav Resident of Village Narayanpur P.S.
Jankinagar, District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 01-04-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 395, 397 of the Indian Penal
Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 19.04.2021, charge-sheet has been
submitted and has antecedent of one case.

The informant alleges that three unknown criminal
intercepted him and looted away Rs.3,00,000/- and on pretext one
accused fired hitting the informant at his thigh and thereafter fled
away.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case. The FIR



was against unknown and name of this petitioner transpired in the confessional statement of co-accused Mukesh Kumar Sharma who stated that this petitioner along with Mukesh Kumar Sharma and others participated in the occurrence and Rupesh Yadav fired at the informant when he protested. Learned counsel for the petitioner further submits that though confessional statement has no evidentiary value in the eyes of law but even assuming what has been stated by Mukesh Kumar Sharma is true then also allegation of firing is not against the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 19.04.2021, charge-sheet has been submitted and name of the petitioner transpired in the confessional statement of the co-accused which has no evidentiary value, the petitioner, above named, is directed be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Murliganj P.S. Case No. 357 of 2019, one of the bailors shall be the father (Arvind Yadav) of the petitioner.

(Satyavrat Verma, J)

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