

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.69384 of 2021**

Arising Out of PS. Case No.-118 Year-2021 Thana- BARHARA District- Bhojpur

Vindhayachal Yadav Son of Shiv Prasad Yadav @ Chhipa Yadav R/o Village -  
Bela, P.S. - Ara Muffasil, District - Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA  
ORAL ORDER**

3      15-10-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Barhara  
(Krishnagarh O.P.) P.S. Case No. 118 of 2021 registered for the  
offence under Section 394 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 11.05.2021.

The allegation against the petitioner is to commit  
robbery, alongwith other co-accused persons, and while  
committing so, taken away cash of Rs.3,06,000/- (Rupees Three  
Lakh Six Thousand) alongwith one gold ring belongs to the  
informant.



Learned counsel appearing on behalf of the petitioner submitted petitioner is not named in the F.I.R., and his name surfaced during the course of investigation, on the basis of confessional statement of co-accused, namely, Rohit Kumar Yadav, and in furtherance thereof, nothing incriminating surfaced/recovered to connect this petitioner with the present occurrence of robbery. It is further pointed out that petitioner has not been put on T.I.P. as yet. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the F.I.R.

In view of the facts and circumstances, as mentioned above, as nothing incriminating recovered/surfaced to connect this petitioner with the present occurrence of robbery in furtherance of confessional statement of co-accused, where petitioner is a man of clean antecedent coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with



Barhara (Krishnagarh O.P.) P.S. Case No. 118 of 2021 on  
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with  
two sureties of the like amount each to the satisfaction of  
learned Chief Judicial Magistrate, Bhojpur at Ara/concerned  
Court, subject to the conditions as laid down u/s 437(3) of the  
Cr.P.C.

**(Chandra Shekhar Jha, J)**

Ankit/-

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