

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69540 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- BASANHI District- Saharsa

RAVI CHARAN YADAV @ RAVI CHARAN KUMAR YADAV Son of Sri
Abhinandan Yadav Resident of Village- Barsam, P.S.- Basnahi, District-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard Mr. Amit Kumar Anand, learned counsel for
the petitioner and Mr. Pramod Kumar Pandey, learned
Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Basnahi PS Case No. 53/2021 registered for the offence
punishable under Section 392 of the IPC.

As per First Information Report, the informant was
intercepted by one co-accused, Rupesh Kumar @ Rupesh Yadav
along with two unknown accused persons who snatched
motorcycle, a sum of Rs. 41,000/-, mobile phone etc., from the
informant.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to
disclosure of his name by the arrested co-accused person,



Rupesh Yadav. He next submits that the petitioner is not named in the FIR and the looted motorcycle has not been recovered from the possession of the petitioner rather the same has been recovered from one another co-accused person, namely, Sandarshi Kumar @ Sandarshi Yadav @ Banti. He further submits that there is an unexplained delay in lodging of the FIR inasmuch as, as per FIR, the occurrence has taken place on 07.04.2021 and the FIR has been lodged on 09.04.2021. Next submission is that the FIR named accused, Rupesh Kumar @ Rupesh Yadav has been granted bail by this Court *vide* Cr. Misc. No. 51610/2021.

It is also submitted that the petitioner is in custody since 10.08.2021 and the charge-sheet has been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is not named in the FIR, he has been implicated in this case on the basis of disclosure of his name by co-accused, Rupesh Kumar who has been granted bail by this Court, the petitioner is in custody since 10.08.2021 and the charge-sheet has been submitted in the matter, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, RAVI CHARAN YADAV @ RAVI CHARAN KUMAR YADAV be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 3rd, Saharsa in connection with Basnahi PS Case No. 53/2021.

(Anil Kumar Sinha, J)

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