

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2370 of 2023

Arising Out of PS. Case No.-82 Year-2019 Thana- PASRAHA District- Khagaria

=====

ROSHAN KUMAR S/O DHARUV YADAV @ DHARUVADEV YADAV
Resident of village- Sondiha, P.S.- Pasraha, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Rajeev Nayan, App,231

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 394 of the Indian Penal Code.

As per prosecution case, three accused persons riding on a motorcycle intercepted the motorcycle of the informant and snatched his mobile, ATM card, PAN card, Cheque Book, pass book and cash of Rs. 500/- from his pocket. It is further alleged that when the informant accelerate his motorcycle to save his life, they also assaulted him and then the present FIR.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case. Neither the petitioner was arrested on



spot nor any incriminating article has been recovered from his conscious possession rather his name has been transpired in the alleged offence on the basis of confession made by co-accused Saurabh Kumar. Moreover, similarly situated co-accused namely, Prashant Kumar has already been granted bail by this Court vide order 27.2.2023 passed in Cr. Misc. No. 68910 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 4.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pasraha P.S. Case No. 82 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

Amandeep/-

U			
---	--	--	--

