

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6828 of 2023

Arising Out of PS. Case No.-453 Year-2022 Thana- FORBESGANJ District- Araria

Niraj Kumar Yadav @ Niraj Yadav @ Niraj Kumar S/o Sri Mukesk Yadav @
Mukesh Yadav R/o Village- Dhangra, Ward no. 9, Simarbani, P.S.- Simraha,
Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey, Advocate

For the Opposite Party/s : Mrs.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Forbesganj P.S. Case No. 453 of 2022 registered on 28.04.2022 for the alleged offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, four miscreants on three motor-bykes surrounded the informant and his colleague and threatening them on gun point, snatched Rs.1,35,966/- apart from mobile phone and other articles and documents. The name of the petitioner transpired as one of the accused persons during investigation.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Petitioner has been named in this case on the basis of confessional statement in this case as he has been remanded from other case. Nothing incriminating has been recovered from the person or possession of this petitioner and he has not been put to any Test Identification Parade. The petitioner is in custody since 15.09. 2022 and charge sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent and four cases are pending against him.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any incriminating article has been shown from the petitioner and further considering his period of custody and submission of charge sheet, the petitioner above named is directed to 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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 453 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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