

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6950 of 2023

Arising Out of PS. Case No.-489 Year-2022 Thana- BANKA District- Banka

1. Balmiki Yadav Son Of Kishor Yadav R/O Village- Pokhariya, P.S.- Banka, District- Banka
2. Md. Dilawar Ansari @ Guddu Son Of Zamir Ansari R/O Village- Suggidan (Chubhiya), P.S.- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with Banka P.S. Case No. 489 of 2022 registered for the offence under Sections 399, 398 of the IPC and Section 27 of the Arms Act.

The prosecution story, in brief, is that while the informant was returning from Bhagalpur by his truck bearing registration No. JH09Z-0868, in the meantime, the accused persons chasing him with intention to loot. The accused persons also fired by pistol upon him but the informant succeeded to flee away. Thereafter, the police arrested two



accused persons with one motorcycle and three country made pistols who disclosed the name of the petitioners as their associates.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their conscious possession. The name of the petitioners have sprang up in this case on the basis of confessional statement of apprehended co-accused persons namely, Sohit Sharma and Shabnam Sharma. It is further submitted that the petitioner nos. 1 & 2 are languishing in judicial custody since 1.9.2022 and 7.9.2022 respectively.

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 petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Banka P.S. Case No. 489 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

