

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8403 of 2022

Arising Out of PS. Case No.-264 Year-2021 Thana- SHASTRINAGAR District- Patna

MD. YASIN Son of Md. Jamil Resident of Village - Damariya, P.s.-
Gardanibagh, P.O.- Anisabad, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Swetabh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Shastri Nagar P.S. Case No. 264/2021, registered for the offence punishable under Sections 356 and 379 of the Indian Penal Code.

The allegation is regarding two unknown miscreants having snatched the gold chain from the neck of the informant, whereafter they had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 17.7.2021. It is submitted that though the petitioner is an accused in one other case, but he is on bail in the said case. It is further submitted that the name of the petitioner has transpired in the present upon the confessional statement made by the co-accused person, who has already been granted bail by a coordinate Bench of this Court, vide order dated 23.5.2022, passed in Criminal Miscellaneous No. 68836 of 2021. Lastly, it is submitted that no looted gold chain has been recovered from the conscious possession of the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the materials available in the case diary, this Court



finds that there is minuscule evidence so as to connect the petitioner with the alleged crime, apart from the fact that he is languishing in custody since more than one year, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-cum-Additional Chief Judicial Magistrate-IV, Patna in connection with Shastri Nagar P.S. Case No. 264/2021.

(Mohit Kumar Shah, J)

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