

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16191 of 2023**

Arising Out of PS. Case No.-225 Year-2021 Thana- BAHERI District- Darbhanga

Abhishek Kumar Yadav @ Honey Yadav Son of Sri Manoj Kumar Yadav
R/V- Vikrampur Bande, P.S- Muffasil (Samastipur) and Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 10-05-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Baheri P.S. Case No. 225 of 2021 dated 05.11.2021 lodged
under Sections 395 & 397 of the I.P.C., 1860 read with Section
27 of the Arms Act, 1959.

As per the prosecution case, the allegation of dacoity
is there against 6 unknown accused persons in which the dacoity
took place in the shop of the informant from where goods of
about Rs.27 lakh were looted by the culprits.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that petitioner's name has figured in this case only due to the
reason that there were 8 criminal cases pending against him.

He also submits that petitioner is in custody since 02.07.2022 and his name has figured in this case by virtue of the confessional statement of one Shushant Mishra who is co-accused in this case. Counsel further submits that another co-accused, namely, Ravindra Sahni has been granted bail by the Co-ordinate Bench of this Court vide order dated 12.04.2023 passed in Cr. Misc. No. 6830 of 2023.

Learned counsel for the State opposes the prayer for bail and submits that this case is subject matter of loot of 500 gm gold ornaments, 13 kg silver ornaments, worth Rs.27 lakh, while the accused persons have also cut the wire of CCTV camera.

Upon going through the order sheet, it transpires that Ravindra Sahni to whom Co-ordinate Bench has granted bail, no criminal antecedent has been mentioned in the order sheet. Therefore, this Court is not inclined to grant bail to the petitioner on this ground and his bail petition is hereby rejected.

Liberty is hereby granted that petitioner may renew his prayer for bail after framing of charge in this case.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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