

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22603 of 2023

Arising Out of PS. Case No.-110 Year-2022 Thana- GHOGHARDIHA District- Madhubani

PITAMBAR KUMAR YADAV @ PITAMBAR YADAV Son of Chandeshwar
Yadav Resident Village- Siswabarhi PS- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ghoghardiha P.S. Case no. 110 of 2022 registered under section 394 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, while the informant was returning from his shop on a motorcycle alongwith his son, it is stated that four persons on another motorcycle overtook them and started to abuse them. The accused snatched away Rs. 10,000/- in cash and mobile phone. They also assaulted them with the butt of their pistol.

4. Learned counsel for the petitioner submits that FIR was registered against four unknown accused persons. Referring to the order of the learned trial court it is submitted



that the name of the petitioner transpired in course of investigation in the confessional statement of a co-accused Krishnadeo Yadav made before police. No incriminating article has been recovered from the petitioner's possession. In spite of the petitioner being in custody since 11.10.2022, he has not been put on T.I. parade. Learned counsel further submits that another co-accused Vivek Kumar Yadav whose name was also taken by Krishnadeo Yadav has been enlarged on bail vide order dated 1.5.2023 passed in Cr. Misc. no. 15455 of 2023.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the petitioner not having been put on T.I. parade in spite of being in custody since 11.10.2022, chargesheet having been submitted in the case, no incriminating article having been recovered from the petitioner's possession and grant of bail to co-accused Vivek Kumar Yadav, the petitioner is directed to be enlarged on bail in connection with Ghoghardiha P.S. Case no. 110 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Jhanjharpur, Madhubani.



(Partha Sarthy, J)

Spd/-

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