

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19976 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- LADANIA District- Madhubani

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Baiju Kumar Yadav @ Baiju Yadav Son of Jay Prakash Yadav Resident of
Village - Narar, P.S.- Kaluahi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 394, 411 of the IPC and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, four miscreants boarded on two motorcycles looted Rs. 1 lakh from the informant on the pistol point. In course of fleeing away, two co-accused miscreants were apprehended on the spot, who disclosed the named of the petitioner in this alleged occurrence. It is further alleged that on search, one loaded country made pistol was recovered from the possession of co-accused



Harischandra Rai and cash of Rs. 49,000/-, two live cartridges and mobile phone were also recovered from co-accused Subhash Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused before the police, which does not got evidentiary value in the eye of law. The petitioner has no concern with the alleged occurrence nor any incriminating article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by this Court vide order dated 05.05.2023 passed in Cr. Misc. No 5891 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 02.11.2022.

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 petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is



directed to be released on bail in connection with Ladaniya
P.S. Case No. 271 of 2022 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Judicial
Magistrate, Ist Class, Madhubani.

(Sunil Kumar Panwar, J)

Manishkumar/-

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