

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23885 of 2023

Arising Out of PS. Case No.-854 Year-2022 Thana- BARACHATTI District- Gaya

SHANKAR YADAV S/O MAHAVIR YADAV R/O Village- Ram Sagar, P.S-
Mohanpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in connection with Barachatti P.S. Case No. 854 of 2022 dated 22.09.2022 registered for the offences punishable u/s 395 of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner and the co-accused persons is of looting the truck of the informant on the point of pistol.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



The petitioner is not named in the FIR. No T.I.P has been conducted by the prosecution. The name of the petitioner has surfaced during the course of the investigation. The looted truck with coal was recovered from the possession of the co-accused Saurav Yadav@Guddu. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 21.04.2023 passed in Cr. Misc. No. 3246 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.09.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sherghati, Gaya in connection with Barachatti P.S. Case No. 854 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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