

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26408 of 2023

Arising Out of PS. Case No.-680 Year-2022 Thana- DAUDNAGAR District- Aurangabad

Randhir Kumar Son Of Dukhi Singh Yadav @ Dukhi Yadav Village
Daudnagar, Old Town, Ward No 5, P S Daudnagar, District Aurangabad,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Daudnagar
P.S. Case No. 680 of 2022 dated 04.12.2022 registered for the
offence punishable under Section 395 of Indian Penal Code.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner has been languishing in jail since
13.12.2022 and the FIR was registered against unknown persons
and as per prosecution, during investigation the name of this
petitioner surfaced in the confessional statement of co-accused
Rohit Kumar who is on bail granted by a co-ordinate bench of this
Court vide order passed in Cr. Misc. No. 18850 of 2023 and one
other co-accused Ajit Kumar, carrying similar nature of allegation,
is also on bail granted by a co-ordinate bench of this Court vide
order passed in Cr. Misc. No. 16838 of 2023 and there is no

eyewitness of the alleged occurrence and after the petitioner's arrest in the present matter, no objectionable article was recovered from his possession and accordingly, there is no material or evidence to connect the petitioner to the alleged crime of dacoity and against him the investigation has been completed.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's plea that after his arrest in the present matter the police failed to recover any objectionable article from his possession and his name surfaced in the confessional statement of co-accused Rohit Kumar who is on bail and the said plea has not been refuted by the learned APP and also taking into account the petitioner's custody period and the completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with **Daudnagar P.S. Case No. 680 of 2022.**

(Shailendra Singh, J)

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