

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34098 of 2023

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

Rohit Yadav Son of Mr. Harish Chandra Yadav Resident of village - Usrahi,
P.S.- Deodha, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ladania
P.S. Case No. 271 of 2022 registered for the offence under
Sections 394 and 411 of the Indian Penal Code and under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.01.2023.

The allegation against the petitioner is to commit
robbery alongwith other co-accused persons and while
committing so taken away cash of Rs. 1,00,000/- (Rupees One
Lac only) belongs to the informant.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was not apprehended on spot and his name surfaced in present case on the basis of disclosure as made by apprehended co-accused persons, namely, Harischandra Rai and Subhash Kumar Paswan. It is submitted that no incriminating material recovered/surfaced in furtherance of disclosure as made above by apprehended co-accused persons as to incriminate this petitioner. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner found involved in five case, where in one case, he has already been acquitted and in rest of the three cases, he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioner not apprehended on spot, where no incriminating material recovered/surfaced from his possession coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 31.01.2023, accordingly, the above named petitioner is directed to be released on bail in



connection with Ladania P.S. Case No. 271 of 2022 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only)
with two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Madhubani/concerned court,
subject to the conditions as mentioned under Section 437 (3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

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