

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32820 of 2023

Arising Out of PS. Case No.-120 Year-2020 Thana- JHANJHARPUR District- Madhubani

Rahul Kumar Yadav Son Of Upendra Yadav R/O Village- Jahalipatti, P.S.-
Ghoghardiha, District-Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav Mr. Ravi Prakash Mr. Rajesh Kumar
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 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 Section 392 of the Indian Penal Code.

As per F.I.R. the prosecution case, in brief, is that while the informant along with his senior officer were going to their house by motorcycle, in the way one Maruti 800 car over took them and three persons came out from the car and they assaulted the informant and pushed him down on the road and snatched all the belongings of informant and also snatched motorcycle and one criminal fled away on motorcycle and two persons fled away on said car.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been implicated in this case. The name of the petitioner has been transpired on the basis of confessional statement of co-accused Shambhu Yadav which has not evidentiary value in the eye of law. Neither any incriminating article has been recovered from the conscious possession of the petitioner nor the petitioner has been put on T.I.P. It is further submitted that the petitioner is languishing in judicial custody since 24.11.2022.

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 period of 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 Jhanjharpur P.S. Case No. 120 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Jhanjharpur, Madhubani.

(Sunil Kumar Panwar, J)

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