

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38609 of 2023**

Arising Out of PS. Case No.-212 Year-2022 Thana- LAUKAHA District- Madhubani

Abhishek Yadav S/O Madan Yadav @ Madan Kumar R/O Village- Korhiya,
P.S- Jaynagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 19-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Laukaha P.S. Case No. 212 of 2022 registered for the offence
under Section 392 of the Indian Penal Code.

3. The accused/petitioner is not named in the F.I.R.
and is in custody since 09.02.2023.

4. The allegation against the petitioner is to commit
robbery alongwith other unknown co-accused persons and while
committing so taken away cash of Rs. 5,64,000/- belongs to
informant and others.

5. Learned counsel appearing on behalf of the
petitioner submitted that the name of petitioner surfaced on the
basis of confessional statement of co-accused, namely Kuldeep



Yadav, where in furtherance of which, no incriminating material recovered/surfaced to connect this petitioner, *prima facie*, with the present occurrence of robbery. It is submitted that petitioner was not put on T.I.P., as yet. It is also submitted that similarly situated co-accused, namely Kuldeep Yadav, has already been granted bail by one of the learned Co-ordinate bench of this Court through Cr. Misc. No. 6781 of 2023 vide order dated 01.05.2023. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above and by taking note of the fact as save and except confessional statement no incriminating material recovered/surfaced during the course of investigation as to connect this petitioner, *prima facie*, with the present occurrence of robbery coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 09.02.2023, accordingly petitioner, above named, is directed to be released on bail in connection with Laukaha P.S. Case No. 212 of 2022



on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jhanjharpur, 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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