

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43500 of 2023**

Arising Out of PS. Case No.-39 Year-2022 Thana- CHAKAI District- Jamui

TEK NARAYAN YADAV son of Late Churo Yadav R/V- SaronPs- Chakai
Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Dr. Indihar Kumari

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 379/411 of the Indian
Penal Code.

3. As per prosecution case, the informant and his
friend were going to left his nephew namely, Rakesh, who was
posted at Giridih in police line as Constable, by his Car but his
car was breakdown at Giridih, thereafter he along with his
friend at Saron at the boarder of Bihar and Jharkhand and when
in the morning got up then found his bag was missing in which
his service revolver, mobile and I.D. card etc, were missing.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner is not named in the FIR and during course of investigation name of the petitioner has been dragged after 13 months of the occurrence, on the basis of confessional statement of co-accused Ranjan Kumar, who has a mobile shop and he confessed before the police that the alleged recovered mobile has been given by the petitioner for repair and has not taken returned, so he has given to his son, namely, Ranjan Kumar to use, which has been recovered on the basis of CDR by the police. The confessional statement of the co-accused before the police has got no evidentiary value in the eyes of law. He further submitted that petitioner has never given any mobile for repair and nothing has been recovered from the conscious possession of the petitioner, hence all the allegations made against him regarding recovery is false and concocted. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 10.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner



on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Chakai P.S. Case No. 39 of 2022.

(Sunil Kumar Panwar, J)

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