

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40906 of 2023

Arising Out of PS. Case No.-386 Year-2018 Thana- MASHRAK District- Saran

RAJ KISHORE YADAV @ BHOLA YADAV @ RAJ KISHORE
CHOUDHARY son of Hiranman Choudhary Village- Bohra Tola Ps-
Manjhagarh Dist- Gopalganj Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 01-09-2023 Heard Mr. Rajeev Ranjan, learned counsel for the
petitioner and Mr. Khurshid Anwar, learned Additional Public
Prosecutor for the State.

2. Petitioner renews his prayer for bail inasmuch as
earlier on 20.04.2022 *vide* Cr. Misc. No. 41184/2021, seeing the
non inclination of this Court, the petition for bail was withdrawn
with a liberty to renew the same after four months. Hence, this
is the second attempt for grant of regular bail on behalf of
petitioner in connection with Mashrakh PS Case No. 386/2018
dated 12.11.2018 registered for the offence punishable under
sections 394 of the IPC.

3. As per narration of the First Information Report,
four unidentified miscreants looted away the pickup van bearing
Registration No. BR 28L 9682 and mobile bearing no.



7634908669 and also stabbed the informant due to which he received injury on his neck.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of suspicion. He further submits that instant FIR has been lodged against unknown and name of petitioner has transpired in the present case on the basis of confessional statement of co-accused and no stolen article has been recovered from the conscious possession of the petitioner. He next submits that petitioner is in custody for the last three years i.e., since 04.09.2020.

5. Having regards to the submissions made by the parties, taking into consideration the material on record and the period of incarceration of petitioner being in custody since 16.10.2022, I am inclined to grant regular bail to the petitioner *after the charge is framed* in the matter.

6. Accordingly, let the petitioner, **RAJ KISHORE YADAV @ BHOLA YADAV @ RAJ KISHORE CHOUDHARY** be released on bail, *after framing of charge*, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, Saran at Chapra in connection with
Mashrakh PS Case No. 386/2018.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

