

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48109 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- NTPC District- Patna

SUMIT KUMAR @ JELAR YADAV Son of Late Hare Ram Yadav @ Late
Hariram Prasad Resident of Village-Chaperatar, P.S.-Pandarak, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-08-2023 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 and 511 of the
Indian Penal Code.

3. As per prosecution case, the informant, who is the
constable of CISF informed by one constable that on walky
talky that 3-4 unknown miscreants are trying to enter in the
premises of NTPC with intention to theft and the constable, who
is on duty is trying to stop them but he could not succeed.
Thereafter, the constable fired upon him to prevent them then
they fled away.

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 the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of other co-accused, which has got no evidentiary value in the eyes of law. On the basis of suspicion and due to his criminal antecedents, the police has been implicated in this case. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 04.03.2023.

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 NTPC P.S. Case No. 143 of 2022.

(Sunil Kumar Panwar, J)

arish/-

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

