

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46803 of 2022

Arising Out of PS. Case No.-306 Year-2019 Thana- EKMA District- Saran

RAHUL YADAV @ GURUJI S/o Ramagya Yadav R/o village- Divi, P.S.-
Hassanpura, MH Nagar, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Ekma P.S. Case No. 306 of 2019, registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code.

The allegation is regarding five unknown miscreants having entered the concerned Branch of the State Bank of India situated at BhoroHopur, P.S.-Ekma, District-Saran and then, on pistol point, they had looted a sum of Rs. 58,700/- in cash.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has



been falsely implicated in the present case and he is languishing in custody since 1.4.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one another case, but he is on bail in the said case. It is further submitted that neither any Test Identification Parade has been conducted so as to connect the petitioner with the alleged crime nor any looted cash amount has been recovered from the petitioner. It is also submitted that similarly situated co-accused persons have already been granted bail by coordinate Benches of this Court, vide orders dated 14.12.2020, 29.1.2021, 17.11.2021 and 11.5.2022, passed in Criminal Miscellaneous No. 28255 of 2020, Criminal Miscellaneous No. 36301 of 2020, Criminal Miscellaneous No. 23570 of 2021 and Criminal Miscellaneous No. 62815 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by coordinate Benches of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Saran at Chapra in connection with Ekma P.S. Case No. 306 of 2019.

(Mohit Kumar Shah, J)

Ajay/-

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