

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47231 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Lal Babu Yadav Son Of Late Ram Chandra Yadav Resident Of Village-
Simrahia, Ps- Banjaria, Distt- East Champaran at Motihari.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-08-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a period

of four weeks from today.

3. The petitioner seeks bail in connection with

Turkauliya (Banjaria) P.S. Case No. 175 of 2022 registered for

the offence under Section 394 of the Indian Penal Code.

4. The accused/petitioner is not named in the F.I.R.

and is in custody since 17.05.2023.

5. The allegation against the petitioner is to commit

robbery and while committing so looted mobile phone, gold ring

and chain besides cash of Rs. 85,000/- belongs to informant.

6. 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, Jahir Imam during the course of investigation, in furtherance of which, no incriminating material recovered/surfaced as to connect petitioner with present occurrence of robbery. It is submitted that said co-accused Jahir Imam has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 28193 of 2022 dated 16.01.2023. It is also pointed out that petitioner not put on TIP. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP, opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of fact as save and except suspicion arises out of confessional statement of co-accused, namely, Jahir Imam, nothing incriminating appears against this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 17.05.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Turkauliya (Banjaria) P.S. Case No.



175 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 Judicial Magistrate 1st Class, Motihari, East Champaran/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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