

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49223 of 2023

Arising Out of PS. Case No.-136 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Dharam Yadav S/O Kapoor Yadav R/O Village- Jurabganj, Ps. Korha, Dist.
Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 17-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Lakhisarai (Kabaiya) P.S. Case No. 136 of 2023 dated 22.02.2023, registered for the offences punishable u/ss 411, 413, 414, 468, 471, 401 of the Indian Penal Code.
4. As per the prosecution case, three unknown miscreants boarded on two motorcycles were found standing. On being asked, they started trying to flee away but they were



apprehended by the police personnel who disclosed their names as Dharam Yadav, Shubham Yadav and Saurabh Yadav. They also told that they used to snatch money from customers of Bank. They belongs to Koda gang. The said motorcycles are said to be stolen. On search, Rs. 5,000/-, two iron instruments of breaking dicky, one blank passbook of SBI, five packets of scouring powder, one blank passbook of Canara bank, one Honda motor cycle and one Bajaj motor cycle were recovered from the possession of accused person Dharam Yadav, and Rs. 1,000/-, two iron instruments of breaking dicky, and three packets of scouring powder were recovered from the possession of Saurabh Kumar.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.02.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai, in connection with Lakhisarai (Kabaiya) P.S. Case No. 136 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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