

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51528 of 2022

Arising Out of PS. Case No.-208 Year-2020 Thana- BIHARIGANJ District- Madhepura

Salman Yadav @ Suman Kumar S/O Late Ganesh Yadav @ Late Ganesh Prasad Yadav Resident Of Village- Bhabangama, P.S.- Bihariganj, District- Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail in connection with Bihariganj P.S. Case No. 208 of 2020 registered for the offence under Sections 395, 397 of the Indian Penal Code.

As per allegation in the FIR, while the informant returning after purchasing some medicines by a motorcycle, three persons including petitioner riding on a red motorcycle obstructed his way by coming in front of his motorcycle. It is further alleged that the accused persons asked for to hand over the key but the informant refused thereafter they fired a bullet and snatched his wallet containing Rs. 4,000/- and after seeing the villagers they fled away from there leaving the motorcycles.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner came into light on the statement made by villagers who were gathered at the place of occurrence and he has no concern with the seized motorcycle. It is further submitted that no test of identification parade has been held till date. Petitioner is languishing in judicial custody since 18.2.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihariganj P.S. Case No. 208 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Uda-Kishunganj, District- Madhepura.

(Sunil Kumar Panwar, J)

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