

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58762 of 2023

Arising Out of PS. Case No.-749 Year-2023 Thana- NAWADA District- Nawada

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LAKHAN YADAV S/O - BACHCHAN YADAV RESIDENT OF VILLAGE -
GERABARI, P.S. - KODHA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anup Kumar Pandey

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 467, 468, 471, 420, 414/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with others are alleged to have apprehended by police which they were trying to escape by motorcycle. On search, one mobile, cash of Rs. 10,000/- and a fake Addhar card were recovered from possession of this petitioner.

4. 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 petitioner has no concern with the recovery incriminating articles along with the mo-



torcycle. He was arrested by the police on the basis of suspicion. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 31.8.2023 passed in Cr. Misc. No. 55892 of 2023. Moreover, the petitioner is languishing in judicial custody since 19.6.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nawada P.S. Case No. 749 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Nawada.

(Sunil Kumar Panwar, J)

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