

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66321 of 2023

Arising Out of PS. Case No.-168 Year-2021 Thana- BIRAUL District- Darbhanga

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LAXMAN KUMAR @ LAXMAN KUMAR YADAV @ LAXMAN YADAV
Son of Ramdal Yadav R/o vill - Paharpur, P.S. - Bakhtiyarpur, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate.

For the Opposite Party/s : Mr.Binod Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-10-2023 Heard Mr. Amarnath Jha, learned counsel appearing

on behalf of the petitioner and Mr. Binod Kumar, learned APP

for the State.

2. The petitioner seeks pre-arrest bail in connection
with Biraul P.S. Case No. 168 of 2021 registered for the offence
punishable under Sections 341, 323, 379, 34 and 394 of the
Indian Penal Code.

3. Allegation is of snatching of a motorcycle and
assaulting the informant, in which the accused persons did not
become successful. In course of investigation, the apprehended
accused Sitanshu Yadav had revealed the name of the petitioner
in his confessional statement that the petitioner was his one of
the associates.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and he has falsely been implicated in the case. Petitioner is not named in the F.I.R. The name of the petitioner surfaced in the case on the basis of confessional statement of apprehended accused Sitanshu Yadav which has no evidentiary value in the eye of law. Nothing has been recovered from conscious physical possession of the petitioner.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Darbhanga in connection with Biraul P.S. Case No. 168 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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