

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63434 of 2022**

Arising Out of PS. Case No.-502 Year-2021 Thana- SIWAN CITY District- Siwan

=====
Kanhaiya Kumar Yadav @ Kanhaiya Kumar S/O Naresh Yadav R/V-
Sidhawal, P.S.- Hussainganj, District- Siwan Petitioner/s
Versus

The State of Bihar Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Raj Kishor Singh
=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 395, 397 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is to commit dacoity along with other co-accused persons and while committing so, taken away golden jewelry from the shop of the informant, and also assaulted the informant during course of dacoity.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. It is further submitted that recovery jewelry was not put on TI Parade as yet. From perusal of para-20 of the case diary, recovery of stolen



articles has been shown from the house of Suresh Yadav and from where the petitioner along with co-accused Manish Kumar have been arrested and the co-accused Manish Kumar is now getting the privilege of regular bail granted by a co-ordinate Bench of this Court vide order dated 24.8.2022 passed in Cr. Misc. No. 15557 of 2022. It is further submitted that the seizure list is not supported by independent witnesses, and as such, appears doubtful. Moreover, the petitioner is languishing in judicial custody since 22.9.2021.

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 Siwan Town P.S. Case No. 502 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IX, Siwan.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

