

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68800 of 2023

Arising Out of PS. Case No.-47 Year-2015 Thana- HISUWA District- Nawada

Chhoti Yadav @ Chhotu Kumar, Son of Bisheshar Yadav, Resident of Village
- Pawa, Police Station - Deepnagar in the District of Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-11-2023

1. Heard learned A.P.P. for the State of Bihar.

2. The petitioner has preferred this application for grant of regular bail in connection with Hisua P.S. Case no. 47 of 2015, registered under section 392 of the Indian Penal Code.

3. As per the prosecution case, it is stated by the informant that while he was coming with his tractor loaded with bricks, unknown accused persons stopped the vehicle, abused and threatened him, tied him up and took away his tractor along with Rs.7700/- in cash.

4. Having perused the material on record it transpires that the FIR was registered against Krishna Yadav and three unknown accused persons. From the contents of the order of the



learned trial Court rejecting the application for bail of the petitioner it transpires that the name of the petitioner transpired in course of investigation. The prosecution is mainly relying on the confessional statement of the petitioner made before police. Further co-accused Kamal Jee has been granted bail vide order dated 23.9.2015 passed in Cr. Misc. no. 44041 of 2015 while Kanhaiya Kumar has been enlarged on bail vide order dated 20.12.2021 passed in B.P. no.4069 of 2021. The petitioner is in custody since 29.7.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned APP appearing for the State and having perused the material on record, taking into consideration the allegations in the FIR, the material that has transpired in course of investigation as is evident from the order of the learned trial Court rejecting the application for bail of the petitioner, grant of bail to the above mentioned co-accused Kamal Jee and Kanhaiya Kumar, the petitioner being in custody since 29.7.2023 and investigation in the case having concluded, the petitioner is directed to be enlarged on bail in connection with Hisua P.S. Case no. 47 of 2015, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial
Magistrate, Nawada.

(Partha Sarthy, J)

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