

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72464 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- HASPURA District- Aurangabad

PINTU YADAV son of Ram Ayodhya Yadav Village- Lalganj Sehara Ps-
Paliganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Haspura P.S. Case no.52 of 2022 registered under sections 392 and 411 of the Indian Penal Code.

3. As per the prosecution case, three accused persons on the point of pistol looted and dispossessed the informant of his truck. However, soon thereafter on the informant along with the police personnel giving a chase, they were able to seize the truck and two of the accused persons were caught. They disclosed that the accused who had managed to escape was the petitioner.

4. Learned counsel for the petitioner submits that from the contents of the F.I.R itself it would be evident that neither the petitioner was arrested at the spot nor any



incriminating article recovered from his possession. The only material against him is the statement of a co-accused made before police. As categorically stated in paragraph no.8 of the petition, the learned Court below has committed an error of record in observing that the stolen article was recovered from the possession of the petitioner. He is in custody since 29.5.2023 and charge-sheet has been submitted in the case.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and 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 Court below, the petitioner being in custody since 29.5.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Haspura P.S. Case no.52 of 2022 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 Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad.

(Partha Sarthy, J)

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