

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71343 of 2023**

Arising Out of PS. Case No.-93 Year-2023 Thana- HARLAKHI District- Madhubani

RAKESH KUMAR @ RAKESH KUMAR YADAV Son of Lakshmeshwar  
Yadav Resident of village - Baluaha, P.S.- Harlakhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                           |
|--------------------------|---|-------------------------------------------|
| For the Petitioner/s     | : | Mr.Rana Bhupendra Narayan Singh, Advocate |
| For the Opposite Party/s | : | Mrs.Anita Kumari, APP                     |
| For the Informant        | : | Mr. Ravi Ranjan, Advocate                 |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      08-11-2023                      Heard the learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Section 392 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. was registered against unknown persons for looting Rs. 2 Lakh 43 thousand and two mobile phones from the informant.

4. Learned counsel for the petitioner submits petitioner is not named in the F.I.R. He has been made accused in this case only on the basis of the confessional statement of co-accused Subhash Kr. Yadav. It has further been submitted that petitioner has not been put on T.I. Parade and no recovery has been made from the possession of the petitioner. Petitioner



claims clean antecedent and he is in custody since 14.06.2023.

5. Learned counsel for the petitioner further undertakes to deposit Rs. 1 Lakh 10 thousand in the court below by way of demand draft in the name of the informant.

6. Learned A.P.P. has vehemently opposed the prayer for bail.

7. Considering the aforesaid submission and considering the undertaking of the petitioner, this application for regular bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Benipatti, Madhubani/concerned Court below in connection with Harlakhi P.S. Case No. 93 of 2023 subject to condition that:-

8(i) Petitioner will deposit Rs. 1 Lakh 10 thousand in the court below by way of demand draft in the name of the informant and Court below will handover the demand draft to the informant.

**(Sandeep Kumar, J)**

Shishir/-

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