

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67086 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- GWALPARA District- Madhepura

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ASHISH YADAV @ ASHISH KUMAR S/O BIREN YADAV Resident of
Village- Tilkora Gopali Tola, P.S.- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate.
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-03-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in a case registered under section 394 of the

Indian Penal Code.

As per the prosecution case, while the informant was

returning after collection of money by his motorcycle, two

miscreants boarded on a motorcycle intercepted the informant

and in the meantime, two other miscreants boarded on another

motorcycle also came there and they started assaulted the

informant on his head with the butt of a country-made pistol and



they also snatched Rs. 15,122/- in cash one Tab and a mobile phone from the informant. On seeing the assemblage of villagers, the miscreants managed to flee away after firing from their pistols. The local people identified one co-accused as Banti Kumar and the petitioner as Ashish Kumar.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Nothing has been recovered from the possession of the petitioner. The name of the petitioner has been dragged in this case on mere suspicion. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 23.04.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Udakishunganj, Madhepura in connection with Gwalpara P. S. Case



No. 7 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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