

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67478 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- RANIGANJ District- Araria

Mithu Yadav @ Mithilesh Yadav, Son of Jagat Narayan Yadav, R/V-
Gharbandga, P.S- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Raniganj P.S. Case No. 153 of 2021 dated 04.06.2021
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that as per the FIR the alleged
occurrence of loot was committed by two unknown miscreants
and informant's motorcycle was looted on the point of pistol
and petitioner's name surfaced in the alleged crime on the basis
of confessional statement of co-accused made by him before the
police and petitioner was firstly arrested in connection with
Raniganj P.S. Case No. 130 of 2021 on the basis of said



confessional statement and thereafter he was remanded in all other cases of his criminal antecedents. Further submissions are that the looted motorcycle was not recovered from the possession of this petitioner and accordingly there is no legal evidence going against the petitioner and showing his involvement in the alleged crime except the confessional statement of co-accused and without any legal evidence the petitioner has been languishing in jail since 18.05.2022.

4. Though, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that against the petitioner the only material is confessional statement of co-accused Robin Yadav.

5. Considering the above submissions and mainly the facts that against the petitioner the investigation has been completed and in respect of petitioner's involvement in the alleged crime the prosecution is mainly relying upon statement of co-accused recorded by him before the police and also the fact that there is no submission by the prosecution as to looted motorcycle having been recovered from the possession of this petitioner after the commission of the alleged crime, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released



on bail in connection with Raniganj P.S. Case No. 153 of 2021
on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two
sureties of the like amount each to the satisfaction of the Court
concerned.

(Shailendra Singh, J)

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