

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67426 of 2022**

Arising Out of PS. Case No.-698 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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VISHNU YADAV @ VISHNU KUMAR YADAV S/O Late Jitendra Yadav
Resident of Tulsi Nagar Colony, Jawaripur, P.S- Tikamanjhi, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, App

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 23-03-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Kotwali (Barari) P.S. Case No. 698/2020 registered for the
offence(s) punishable under Section(s) 457, 380 and 511 of the
Indian Penal Code.

As per the prosecution, informant alleged that this
petitioner entered into her house with a view to commit theft
but he was caught by her family members.

The main submissions advanced by the learned
counsel for the petitioner are that the informant claimed to have
identified the petitioner who is stated to have been caught hold
by the informant's sons and her family members but the



petitioner was not put on Test Identification Parade after his arrest in the present matter and as per the prosecution, no incriminating material was recovered from his possession and there is no allegation of theft against the petitioner and he has been languishing in jail since 07.01.2022 and against him, there is criminal antecedent of one case and he has been charge-sheeted.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly taking into the account the petitioner's custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 Court concerned in connection with Kotwali (Barari) P.S. Case No. 698/2020.

(Shailendra Singh, J)

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