

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70393 of 2022

Arising Out of PS. Case No.-175 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Lal Babu Yadav Son Of Ram Chandra Yadav R/V- Semarayha, P.S.-
Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-04-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

The accused/petitioner is not named in the F.I.R. and
apprehended his arrest in connection with Turkauliya
(Banjariya) P.S. Case No.175 of 2022 registered for the offences
punishable under Section 394 of the Indian Penal Code.

The allegation against the petitioner is to commit
robbery alongwith other named co-accused persons and while
committing so taken away mobile, golden chain and cash of
Rs.85,000/- (Rupees Eighty Five Thousand), which were in the



possession of the informant.

Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of disclosure made by apprehended co-accused, who is named in the F.I.R. namely Jahir Imam. It is also pointed out that except confessional statement no incriminating material recovered/surfaced from the possession of this petitioner, as of now. It is also pointed out that petitioner was not put on T.I.P as yet. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that name of petitioner surfaced in this case on the basis of disclosure of apprehended co-accused, who was apprehended on spot during the course of occurrence. It is also submitted that soon before the occurrence petitioner found in mobile conversations with named apprehended co-accused namely Jahir Imam, as per Call Details Report (CDR) suggesting, *prima facie*, involvement of this petitioner in alleged occurrence of robbery. It is also submitted that investigation of this case is yet to complete.

In view of the facts and circumstances as mentioned above as petitioner found in telephonic conversation with named



co-accused soon before the occurrence, where investigation of this case is yet to complete, the prayer of anticipatory bail of the petitioner is rejected herewith.

(Chandra Shekhar Jha, J.)

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