

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74159 of 2022

Arising Out of PS. Case No.-350 Year-2022 Thana- BARH District- Patna

Prabhu Yadav Son Of Sri Prakash Prasad Yadav R/O Village- Acchuara, P.S.-
Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Manglam, Advocate

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barh P.S.
Case No. 350 of 2022 registered for the offence under Sections
461 and 379 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 13.07.2022.

The allegation against the petitioner is to involve in
preparation for dacoity, along with co-accused persons.

Learned counsel appearing on behalf of the petitioner
submitted that name of the petitioner surfaced on the basis of
confessional statement of co-accused, namely, Rahul Kumar,



and subsequent upon petitioner was remanded in this case while he was in custody in connection with Barh P.S. Case No. 367 of 2022. It is submitted that no incriminating material recovered/surfaced, during the course of investigation, which may connect this petitioner, *prima facie*, with the present allegation as regard to preparation for dacoity. It is further submitted that petitioner found involved in one more case i.e. Barh P.S. Case No. 367 of 2022, where he is on bail. While concluding the argument, it is submitted that investigation of this case is completed, for which, charge-sheet has submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail submitted that petitioner is not named in the FIR.

In view of the facts and circumstances as mentioned above and by taking note of facts, no incriminating material recovered/surfaced, during the course of investigation to connect this petitioner, *prima facie*, with the present occurrence of preparation for dacoity coupled with the fact that charge-sheet has already submitted, let the petitioner, above named, is directed to be released on bail in connection with Barh P.S. Case No. 350 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned 1st Additional Chief Judicial Magistrate,
Barh, Patna/concerned Court, subject to the conditions as laid
down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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