

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81378 of 2023

Arising Out of PS. Case No.-31 Year-2022 Thana- RAJAON District- Banka

Shiv Shakti Yadav @ Shakti Yadav S/O Late Shyam Sunder Yadav Village-
Dhanichak, Ps. Amarpur, Dist. Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Anand

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

3. As per prosecution case, four miscreants on two motorcycle surrounded the informant and at gun point took away his motorcycle, mobile phones, his purse containing Rs. 5500/- and a gold chain. Further they also transferred Rs. 5,000/- after asking for his pin of google pay. They assaulted him as well.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named



in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner and also he has not been put on TIP. Similarly situated other co-accused persons have already been granted bail by Annexure-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 20.04.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rajaun P.S. Case No. 31 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6 cum Special Judge, POCSO Banka.

(Sunil Kumar Panwar, J)

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