

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78139 of 2023

Arising Out of PS. Case No.-134 Year-2017 Thana- RANIGANJ District- Araria

SAROJ YADAV @ SARAJ KUMAR SON OF MAHANAND YADAV R/O
VILLAGE- BHORAH, P.S.- RANIGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 04-12-2023 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The instant Criminal Miscellaneous Application arises out of the F.I.R., bearing Raniganj P.S. Case No. 134 of 2017, dated 25.04.2017, instituted for the offences punishable under Section 394 of the Indian Penal Code. The petitioner is in custody since 21.09.2021.

3. It is submitted by the learned Advocate for the petitioner that the name of the petitioner was booked on the basis of confessional statement made by the co-accused namely Pawan Kumar Yadav. It is needless to say that the statement of co-accused implicating another person is not admissible in evidence. Moreover, the said Pawan Kumar Yadav was released on bail by a Coordinate Bench of this Court vide order dated 06.04.2018,



passed in Cr. Misc. No. 12749 of 2018. Another person namely, Ranjeet Goswamy was also granted bail by a Coordinate Bench of this Court vide order dated 21.10.2019, passed in Cr. Misc. No. 59365 of 2019. The petitioner remains on the same footing like that of Ranjeet Goswamy.

4. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

5. In view of such circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, one of whom must be a local surety having landed property, to the satisfaction of the learned C.J.M., Araria in connection with Raniganj P.S. Case No. 134 of 2017, with further condition that he must comply the conditions, namely, he would not persuade or threaten the witnesses and would be present in the Court below during trial on all dates.

Failure on the part of the petitioner to comply with any of the above directions will entail the learned court below to cancel the bail without any further order.

(Bibek Chaudhuri, J)

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