

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.360 of 2023

Arising Out of PS. Case No.-123 Year-2020 Thana- BARACHATTI District- Gaya

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RAM BHAJAN YADAV @ BHAJAN YADAV Son of Gopal Yadav Resident
of Village- Pathak Bigha, P.S.- Dobhi, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-08-2023 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, while the informant along
with Sindhu Devi were returning from PNB Branch after
withdrawing cash, meanwhile, some unknown miscreants
surrounded and robbed them.

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 due to his criminal
antecedents. Prosecution case lodged against unknown and the
name of the petitioner was sprang up in this case on the basis of



confessional statement of co-accused Vikash Kumar before the police which is in admissible in the eye of law. Nothing has been recovered from conscious possession of the petitioner. Moreover, similarly situated co-accused namely, Rambhaju Yadav has already been granted bail by a co-ordinate Bench of this Court vide order dt. 25.7.2023 passed in Cr. Misc. No. 44249 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 21.10.2020.

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 period 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 Barachatti (Sherghati) P.S. Case No. 123 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati (Gaya).

(Sunil Kumar Panwar, J)

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