

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80340 of 2023

Arising Out of PS. Case No.-183 Year-2022 Thana- ATRI District- Gaya

Baiju Yadav @ Rohit Kumar Son Of Late Deepu Yadav Resident Of Village -
Sewtar, P.S. - Atri, District - Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Atri P.S. case No. 183
of 2022 instituted for the offences under Sections 147, 149,
341, 323, 307, 385 and 353 of the Indian Penal Code.

3. Prosecution allegation, in short, is that while the
informant along with other police party returning from duty,
they saw one loaded tractor with sand was coming. The same
was apprehended by the police. When the police party was
returning with the tractor to police station in the meantime,
petitioner along with 30-35 unknown, variously armed, came
and assaulted the informant and snatched the tractor.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 07.11.2022 and has eight
criminal antecedents in which he is on bail. Charge-sheet has



been submitted in this case. The petitioner has falsely been implicated in the present case. The name of the petitioner has transpired as being owner of the tractor. From perusal of the order of the Court below, it appears that charge-sheet has been submitted under bailable of sections of Indian Penal Code except Section 353 I.P.C.. Learned counsel for the petitioner submits that petitioner has been implicated due to village politics and criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Atri P.S. case No. 183 of 2022.

(Rudra Prakash Mishra, J)

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