

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82274 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- MARANCHI District- Patna

Birendra @ Rabindra Yadav @ Birendra Yadav Son Of Taro Yadav Resident
Of Village- Islam Nagar, P.S.- Chandradip, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Prakash

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 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 379 of the Indian Penal Code.

3. As per prosecution case, it is a case of theft of a tractor of the informant bearing Reg. No. BR01-GD-2408.

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, namely, Ravindra Yadav before the police which has got no evidentiary value in the eye of law. Neither any theft article has been



recovered from his possession nor he has been put on TIP. He has no concern with the alleged offence. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 24.07.2023 in Cr. Misc. No. 27322 of 2023. Moreover, he is languishing in judicial custody since 16.09.2023.

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 Maranchi P.S. Case No. 07 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 J.M. 1st Class, Barh.

(Sunil Kumar Panwar, J)

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