

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80693 of 2023**

Arising Out of PS. Case No.-69 Year-2023 Thana- BIRAUL District- Darbhanga

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Ankit Kumar @ Ankit Yadav S/O Shyam Yadav R/O Village- Naya Tola  
Jurabganj, P.S- Kodha, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner : Mr. Anup Kumar Pandey, Advocate  
For the State : Mr. Dr. Ajeet Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      21-12-2023              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Biraul  
P.S. Case No. 69 of 2023 instituted for the offence under  
Sections 356/379 of the Indian Penal Code.

3.      As per prosecution case, informant went to  
withdraw some cash from the ATM, while two unknown persons  
intercepted him and by hatching conspiracy took him to one  
Cafe and illegally withdrawn Rs. 28,000/- and asked informant  
to come with his mother and got the money. When informant  
reached with mother, he did not find the accused person.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 23-03-2023. Petitioner  
bears three criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR, and name of the petitioner has been surfaced due to confessional statement of one 'Sunny Yadav @ Sunni Yadav'. No T.I. Parade has been conducted in this case. Charge-sheet has already been submitted in the present case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and the fact that petitioner is not named in the FIR, this Court is inclined to grant bail to the petitioner.

8. 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 Biraul P.S. Case No. 69 of 2023.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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