

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13809 of 2024

Arising Out of PS. Case No.-575 Year-2022 Thana- TAJPUR District- Samastipur

Abhishek Yadav @ Honey S/o Manoj Kumar Yadav R/o Vill - Vikrampur
Bandey, P.S. - Mofassil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Anjum Akhter, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.611 of 2023 (arising out of Tajpur P.S. Case no.575 of 2022) registered under sections 307, 395, 397 and 412 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the accused persons came variously armed, resorted to firing and made an attempt to loot the shop of the informant. Some of them were caught which included Chandan Yadav, Shubham Kumar and Anshu Raj. It is further stated that Aman Kumar and Manish Sahni were also caught and assaulted by the general public. The informant states



that he can see and identify the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. Referring to the order of the learned trial Court, it is submitted that the name of the petitioner transpired in paragraph no.5 of the case diary when allegedly co-accused Chandan Yadav is said to have taken the name of the petitioner in his statement before the police. No incriminating article has been recovered from the petitioner's possession who is in custody since 12.6.2023 and the said Chandan Yadav has already been enlarged on bail vide order dated 30.8.2023 passed in Cr. Misc. no.55513 of 2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the contents of the order of the learned trial Court, grant of bail to co-accused Chandan Yadav on whose statement before the police the name of the petitioner transpired together with the petitioner having remained in custody for 9 months since 12.6.2023, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.611 of 2023 (arising out of Tajpur P.S. Case no.575 of 2022) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Additional
Sessions Judge VIII, Samastipur.

(Partha Sarthy, J)

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