

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10330 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- ARIYARI District- Sheikhpura

Dev Yadav Son of Janki Yadav R/O-Gopichak, P.S.-Kusumbha O.P., Distt.-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prasad Singh, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

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

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Ariyari
(Kasar) P.S. Case No. 264 of 2023 instituted for the offences
under Section 392 of the Indian Penal Code.

3. As per prosecution case, when the Informant along
with one Rajesh Kumar Pandey were returning to their home,
suddenly three miscreants, boarded on a bike, came from behind
and stopped the Informant. It is alleged that the miscreants
snatched the mobile phones of both of them on the point of
pistol. Thereafter, they opened fire and ran away from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel for the petitioner further submits that the date of alleged offence is 05.09.2023 but, on that date, the petitioner was in judicial custody in connection with Sheikhpura P.S. Case No. 352 of 2023 which creates a grave doubt in the prosecution case and thus, Section 392 I.P.C. is not attracted against the petitioner. The petitioner has two criminal antecedents but, in both of them, he is on bail. The petitioner is languishing in judicial custody since 10.11.2023.

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

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Ariyari (Kasar) P.S. Case No. 264 of 2023.

(Rudra Prakash Mishra, J)

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