

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8938 of 2024

Arising Out of PS. Case No.-324 Year-2021 Thana- BIHIA District- Bhojpur

Bhim Yadav @ Bhim @ Smart Son of Pramod Kumar R/o village- Bara
(Basantpur), P.S. - Ara Muffasil, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Shweta Singh, Advocate
	Mr. Pranjal Kumar, Advocate
For the Opposite Party/s :	Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bihiya P.S Case no.324
of 2021 registered under section 395 of the Indian Penal Code.

3. As per the prosecution case, six unknown accused
persons on the point of pistol are said to have looted the
informant of Rs.38,500/- in cash and mobile phone.

4. Learned counsel for the petitioner submits that the
FIR was registered against six unknown accused person.
Referring to the order of the learned trial Court, it is submitted
that the name of the petitioner transpired in the confessional
statement of co-accused Chandan Gond, Chhotu Kumar and
Sunny Singh, all of whom have been enlarged on bail vide
orders dated 26.5.2022 passed in Cr. Misc. no.18926 of 2022,



dated 4.1.2023 passed in Cr. Misc. no.68869 of 2022 and dated 17.10.2022 passed in Cr. Misc. no.36204 of 2022 respectively. The petitioner who is in custody since 19.9.2023 has been falsely implicated in the case because of his antecedents. Neither he has been put on T.I parade nor any incriminating article has been recovered from his possession.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the order of the learned trial Court, grant of bail to all the three above named co-accused on whose confessional statement the name of the petitioner transpired, his having remained in custody for 5 months since 19.9.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bihiya P.S Case no.324 of 2021 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 Chief Judicial Magistrate-I, Bhojpur, Ara.

(Partha Sarthy, J)

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