

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14071 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- NATWAR District- Rohtas

Mohan Yadav @ Anuj Yadav Son of Sanjay Yadav Resident of Village-
Chakki (J.P. Dera), P.S.- Brahmpur (Chakki), Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Setu Prateek, Adv.

For the Opposite Party/s : Mr.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Natwar
P.S. Case No. 35 of 2023 instituted for the offences punishable
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, some unknown
miscreants came on motorcycle and stopped the informant's
motorcycle and snatched the cash and mobile from the
informant and his friend.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Petitioner is not named in
the F.I.R. and same has been lodged against unknown persons.



Neither anything has been recovered from the possession of the petitioner nor he was put on T.I.P. His name transpired during investigation on the basis of confessional statement of co-accused before the police, which has no evidentiary value in the eye of law.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., it appears that petitioner is not named in the F.I.R. and his name surfaced on the basis of confessional statement of co-accused Rohit Kumar Thakur who has already been granted bail by a co-ordinate Bench of this Court vide order dated 07.12.2023 passed in Cr. Misc. No. 78898 of 2023. Petitioner is in custody since 09.08.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bikramganj, Rohtas in connection with Natwar P.S. Case No.35 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of



this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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