

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 12443 of 2024

Arising Out of PS. Case No.-590 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Subodh Yadav @ Subodh Kumar, aged about 21 (M) years S/o Late Baudhi
Yadav @ Jagroop Prasad Yadav R/o Vill - Kishanpur, P.S. - Madhusudanpur,
Dist. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nathnagar (Madhusudanpur) P.S. Case No.590 of 2023
registered for the offence under Section 394 of the Indian Penal
Code.

3. As per the prosecution case, it is a case of
assault upon the informant with country made pistol on the head
of the informant and also snatched Rs.70,000/-, a Tab of
Samsung Company, a mobile phone and a Pulsar motorcycle
bearing registration No. BR-10AH-6013 of the informant.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in



this case due to high handedness of the police officials. He further submits that no test identification parade has been held and no one has identified the petitioner till date and he has falsely been dragged in this case without any cogent material against him.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of FIR, it appears that the FIR registered under Section 394 of the IPC against named Sanni Yadav and the name of the petitioner surfaced on the basis of confessional statement of named co-accused Sunny Kumar and there is no recovery from the possession of the petitioner and from perusal of impugned order dated 06.01.2024, it appears that the petitioner is not named in the FIR, no looted articles has been recovered from his possession and petitioner is in custody since 25.08.2023, let the petitioner, above named, is directed to be released on bail in connection with Nathnagar (Madhusudanpur) P.S. Case No.590 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of CJM, Bhagalpur with condition that the petitioner shall remain physically present on each and every date fixed by the trial Court and shall



cooperate the trial till proceeding of the case.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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