

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12113 of 2024

Arising Out of PS. Case No.-1340 Year-2022 Thana- KHAGARIA District- Khagaria

Bambam Yadav Son of Jainandan Yadav Resident of Village-Morkahi, P.S.-
Muffasil, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Santosh Kumar Singh, Advocate

For the State : Mr. Arun Kumar Singh, APP

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

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
Khagaria (Muffasil) P.S. Case No. 1340 of 2022 instituted for
the offence under Section 392 of the Indian Penal Code.

3. Prosecution case in short is that on 19-12-2022,
three unknown miscreants on the point of pistol committed loot
of mobile phone, Bluetooth, helmet of the informant. It is
further alleged that Rs. 70,000/- has been withdrawn from the
mobile phone.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 27-08-2023. Petitioner is



stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case due to confessional statement of co-accused, namely, Uday Kumar and Prashant Kumar, and the same has no evidentiary value. Nothing has been recovered from the possession of the petitioner. No T.I. parade has been conducted in this case. Other co-accused has also been granted bail by a Co-ordinate Bench of this Court *vide* order dated 23-08-2023, passed in Cr. Misc. No. 52399 of 2023.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, 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 Khagaria



(Muffasil) P.S. Case No. 1340 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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