

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13214 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- MOKAMAH District- Patna

1. Pintu Yadav S/O- Ram Nandan Yadav R/O- Village- Tartar, P.S.- Ghoswari, Dist.- Patna.
2. Sintu Yadav @ Santu Yadav S/O- Ram Nandan Yadav R/O- Village- Tartar, P.S.- Ghoswari, Dist.- Patna.
3. Sonelal Yadav @ Soni S/O- Sakal Yadav R/O- Village- Tartar, P.S.- Ghoswari, Dist.- Patna.
4. Hira Yadav S/O- Dangal Yadav R/O- Village- Tartar, P.S.- Ghoswari, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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

ORAL ORDER

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

2. The petitioners seek bail in connection with Mokama P.S. Case No. 428 of 2023 instituted for the offences under Sections 394, 411, 414 of the Indian Penal Code.

3. As per prosecution case, when the Informant was carrying *Kirana Saman (gud)* from Patna to Munger by Bolero Pick-up vehicle bearing Regd. No. BR01GE-7594, on the way, four unknown miscreants surrounded his vehicle and started assaulting him and one person took away his Bolero Pick-up



vehicle. It is further alleged that on the point of arms, they also took away Rs. 4,000/- and a mobile phone. Thereafter, they threatened to kill him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. The petitioners are not named in the F.I.R. and their names have surfaced in this case on the basis of their own confessional statement. There is no direct and specific allegation against the petitioners rather the same is general and omnibus in nature. He has further stated that the F.I.R. was instituted on 01.11.2023 but, the same was sent to the Court on 04.11.2023 i.e. after delay of three days without there being any explanation for the same. The petitioners have no concern with the alleged Pick-up van or the money looted from the Informant. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 05.11.2023. No T.I.P. has been conducted till date. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused Bhushan Yadav and Jitendra Kumar have



been granted bail by this Court vide order dated 13.02.2024 passed in Cr. Misc. No. 6823 of 2024.

6. 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 petitioners as also the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mokama P.S. Case No. 428 of 2023.

(Rudra Prakash Mishra, J)

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