

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12115 of 2024

Arising Out of PS. Case No.-36 Year-2023 Thana- BAGENGOLA District- Buxar

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Raja Yadav S/O Shivji Yadav R/O Village- Chiki @ Chaki Mathura Dera, P.S-
Brahmpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the State : Mr. Tarkeshwar Nath Thakur, APP

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**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
Bagengola P.S. Case No. 36 of 2023 instituted for the offence
under Sections 395 & 412 of the Indian Penal Code.

3. As per prosecution case, when the informant was
going to village Pipradh, he was accosted with three unknown
miscreants and thereafter they snatched mobile phone, cash to
the tune of Rs. 3,000/-, Aadhaar Card, PAN, Voter ID Card and
motorcycle, whereafter they fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 06-04-2023. Petitioner
bears eight criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

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, Raj Kumar Yadav, who has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 07-11-2023 passed in Cr. Misc. No. 71839 of 2023. No T.I parade has been conducted in this case.

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 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 Bagengola P.S. Case No. 36 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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