

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12956 of 2024**

Arising Out of PS. Case No.-271 Year-2023 Thana- NAWANAGAR District- Buxar

Pawan Yadav Son of Sudarshan Yadav Village- kesath Dera P.S -Nawangaer
Distt- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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

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
Nawanagar P.S. case No. 271 of 2023 instituted for the offences
under Section 395 of the Indian Penal Code.

3. Prosecution case, in short, is that the six unknown
miscreants intercepted the car of the informant and on the point
of pistol threw his mobile phone in water and took Rs. 600/-
kept on the dash board of his car and, thereafter, the accused
persons fled away.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
has transpired in this case on the basis of confessional statement
of the co-accused Mahendra Kumar Singh @ Mahendra Prasad



Yadav. No incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. The co-accused person, Mahendra Kumar Singh has already been granted bail by a Coordinate Bench of this Court vide order dated 10.10.2023 passed in Cr. Misc. No. 63752 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.12.2023 and has one criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail 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 Nawanagar P.S. case No. 271 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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