

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18435 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- JANTA BAZAR District- Saran

Ajit Yadav SON OF Swaminath Yadav Village- Chakdeh banpura Police
Station -Janta Bazar District -saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 19919 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- JANTA BAZAR District- Saran

Upendra Yadav Son Of Anavat Yadav Resident Of Village- Senduar,
Dayalpur, Tole, Ps- Janta Bazar, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 18435 of 2024)

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 19919 of 2024)

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

3 30-04-2024 Heard learned counsel for the petitioners and learned APP
for the State and perused the case diary.

2. The petitioners seek bail in connection with Janta
Bazar P.S. Case No. 216 of 2023 instituted for the offence under
Sections 413, 414 & 34 of the Indian Penal Code.

3. Prosecution case in short is that on secret



information the police party reached the place of occurrence where they apprehended two accused persons including the petitioner. On interrogation, they confessed that they have looted a pick up laden with peas and chilly and they were looking to sell the items.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 22-12-2023. Petitioner No. 1 bears three criminal antecedents while petitioner No. 2 bears two criminal antecedents.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. It is submitted that the FIR is false and concocted and no such occurrence ever took place and petitioners have been implicated only on the basis of suspicion. It is submitted that seizure list was not prepared at the place of occurrence, rather it was prepared at the police station. There is no compliance of Section 100 of the Cr.P.C. So far as Maruti Zen car is concerned, it belongs to the brother of petitioner No. 2. It is submitted that petitioners were not put on TIP. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners 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 Janta Bazar P.S. Case No. 216 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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