

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22744 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- MAHKAR District- Gaya

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SANKAR KUMAR @ SANKAR YADAV S/O MUNDRIKA YADAV R/O
VILLAGE- GULABI, P.S- ARTI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra

For the Opposite Party/s : Mr.Renu Kumari

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

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mahkar P.S. Case No. 258 of 2023 instituted for the offence
under Sections 395, 412 of the Indian Penal Code.

3. As per prosecution case, allegation against the
petitioner and co-accused persons is that they on the point of
pistol took away the Creta car.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07.12.2023. Petitioner
bears two 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. The petitioner has no concern with the alleged occurrence. Charge-sheet has been submitted in this case. No incriminating article has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C..

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 and judicial custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail *after framing of charge, if already not 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 Mahkar P.S. Case No. 258 of 2023.

(Rudra Prakash Mishra, J)

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