

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24080 of 2024

Arising Out of PS. Case No.-31 Year-2015 Thana- MOKAMAH District- Patna

Sanjay Yadav, aged about 35 years, Male Son of Bharath Yadav, Resident of Village- Bampur, P.S. - Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Mokama P.S. Case No. 31 of 2015 instituted for the offences punishable under Sections 458 and 380 of the Indian Penal Code.

3. As per the prosecution case, it is a case of missing of buffallos of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of confessional statement of co-accused Baleshwar Yadav. Petitioner has not named in the FIR and no incriminating article has been recovered from the direct or indirect possession of the



petition. No Test Identification Parade is held till date and chargesheet has already been submitted against the petitioner by the police. Petitioner is in custody since 26.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional District and Sessions Judge-1st, Barh, Patna dated 20.12.2023, it appears that petitioner is not named in the FIR. The name of the petitioner has been surfaced only on the basis of confessional statement of co-accused namely, Baleshwar Yadav. Investigation has already been completed and chargesheet has already been submitted to the accused persons, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned A.C.J.M.- II, Barh, Patna in connection with Mokama P.S. Case No. 31 of 2015.

(Ramesh Chand Malviya, J)

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