

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22676 of 2024

Arising Out of PS. Case No.-310 Year-2022 Thana- SHAHKUND District- Bhagalpur

Santosh Kumar Yadav S/O Bikash Prasad Yadav R/O Village- Gulni Kushaha
Bela, P.S- Shambhuganj, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has renewed his prayer for bail which was earlier rejected vide order dated 24.08.2023 passed in Cr. Misc. No. 20084 of 2023 in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

As per prosecution case, it is alleged that four unknown miscreants boarded on white Scorpio vehicle came and on pistol point looted the Tractor, mobile and cash of Rs. 2000/- from the informant and fled away.

It is submitted by learned counsel for the



petitioner petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused before the police which has no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence and he is languishing in custody since 27.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In pursuance to the direction of this Court, a report with regard to the present stage has been received which has been brought on record as Flag-A. The report of learned Judicial Magistrate, 1st Class, Bhagalpur dated 23.03.2024 suggests that the trial is at the stage of prosecution evidence and up-till-now, not a single witness has been examined which suggests that the trial is not likely to be concluded in near future



though in the report, it was mentioned in the report that trial is expected to be concluded within six months.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sahkund P.S. Case No. 310 of 2022.

(Sunil Kumar Panwar, J)

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