

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27934 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- BANKA District- Banka

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Dhananjay Kumar Yadav Son of Sachida Nand Yadav @ Sachho Yadav
Resident of Village- Kamaldih, Ps- Banka, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-04-2024 Heard learned counsel appearing on behalf of

the petitioner and learned counsel appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Banka P.S. Case No. 19 of 2023 registered for the

offences punishable under Sections 395 and 397 of the

Indian Penal Code and Sections 25(1-B)a, 26, 27 and

35 of the Arms Act.

3. The accused/petitioner is not named in the

F.I.R. and is in custody since 02.02.2024.



4. The allegation against this petitioner is to commit dacoity alongwith other co-accused persons and while committing so taken away cash of Rs. 1,50,000/-, which was in possession of informant at the time of occurrence.

5. Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced in this case on the basis of confessional statement of Etbari Ray Prahlad Ray @ Prahlad Ray, in furtherance of which no incriminating materials recovered/surfaced as to connect petitioner with the present occurrence of dacoity. It is submitted that said Etbari Ray Prahlad Ray @ Prahlad Ray has already granted bail by this Hon'ble Court in Cr. Misc. No. 29916 of 2023 vide order dated 28.06.2023. It is submitted that petitioner was not put on TIP, as yet. While concluding the argument, it has been submitted that petitioner found involved in three more criminal cases where he is on bail and in all such cases his name appears on the basis of confessional



statement of co-accused persons having otherwise no bearing over the merit of the present case and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as implication of petitioner appears out of confessional statement of co-accused, who is on bail, where during investigation no incriminating materials recovered/surfaced as to connect petitioner with the present occurrence of dacoity, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 02.02.2024, accordingly the petitioner, above named, is directed to be released on bail in connection with Banka P.S. Case No. 19 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-V,



Banka/concerned Court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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