

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29632 of 2024**

Arising Out of PS. Case No.-583 Year-2019 Thana- BANKA District- Banka

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Battish Kumar @ Saurabh Yadav @ Saurabh Kumar S/o Kailash Yadav @
Kailash Prasad Yadav R/o vill - Belutikar (Jogdiha), P.S. and Dist. - Banka
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Banka (Barahat) P.S. Case No. 583 of 2019 dated 22.08.2019 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code.

3. As per the prosecution case, five miscreants boarded on motorcycles were assembled for making preparation to commit dacoity. On seeing police, they started fleeing away but three miscreants managed to flee away and two miscreants were apprehended who disclosed their names as Rajiv Kumar and Sonu Kumar and they also disclosed the names of miscreants who fled away as the petitioner Batish Kumar @ Saurabh Yadav @ Saurabh Kumar and the co-accused persons as Arun Mandal and Kundan Yadav.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by the co-accused persons. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this Court *vide* order dated 05.05.2023 passed in Cr. Misc. No. 5871 of 2023. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Banka (Barahat) P.S. Case No. 583 of 2019.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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