

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32731 of 2024

Arising Out of PS. Case No.-121 Year-2021 Thana- RANIGANJ District- Araria

Robin Yadav @ Prince Robin son of Shyamanand Yadav @ Shyama Nand
Kumar Resident of village- Belsara, Police Station- Raniganj, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rabindra Kumar Priyadarshi, Advocate Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s	:	Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-05-2024 Heard Mr. Rabindra Kumar Priyadarshi, learned
counsel appearing on behalf of the petitioner and the learned
APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Raniganj P.S. Case No. 121 of 2021,
registered for the offence punishable under Section 394 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, while the informant was returning to
Forbesganj after collecting Rs. 1,50,000/- from different
retailers, in the meantime, four persons came on two
motorcycles and on the point of pistol, they forcibly tried to
snatch his bag, containing the money, which was protested by
the informant. The miscreants shot fire on his thigh and below



the knee of his left leg and fled away with the money.

4. It is submitted on behalf of the petitioner that the FIR was instituted against unknown miscreants, however, during the course of investigation, co-accused Ramesh Kumar Yadav was apprehended and on his confession, the name of the petitioner and others have been surfaced. Learned counsel for the petitioner further submits that in fact, on account of the past criminal antecedent his name has been implicated in this case. Besides, the confessional statement there is no material suggesting the complicity of the petitioner in the present crime. Moreover, the co-accused on whose confession the name of the petitioner has been surfaced, he has been allowed the privilege of regular bail in Cr. Misc. No. 22862 of 2022 vide order dated 19.10.2022. Another person having similar allegation, has also accorded the privilege of regular bail in Cr. Misc. No. 35445 of 2022 vide order dated 19.10.2022 . It was lastly submitted that the petitioner has been in custody since 22.03.2022.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is carrying nine criminal antecedent over his head.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has surfaced on the confessional statement and he



has not been put on Test Identification Parade till date, though he is in custody for over a period of two years. Moreover, the co-accused person on whose confession the name of the petitioner has transpired has been granted regular bail, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 121 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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