

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35947 of 2024**

Arising Out of PS. Case No.-452 Year-2023 Thana- PARBATTI District- Khagaria

Jichchhu Yadav, aged about 30 years, Male, Son of Late Mangal Yadav,  
Resident of Village\_ Yaduvansh Nagar, P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      20-05-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Parbatta P.S. Case No. 452 of 2023 instituted for the offences  
punishable under Section 394 of the Indian Penal Code and later  
on Sections 395 and 411 have also been added.

3. As per the prosecution case, it is a case of stolen  
battery from Basbitta near Basa of Yogi Paswan.

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 only on the basis of  
suspicion. Petitioner is not named in the FIR and his name has  
been surfaced only on the basis of suspicion. It is further



submitted that nothing has been recovered either from the possession or place which belongs to the petitioner. Petitioner has not put on Test Identification Parade. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 29.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-III, Khagaria dated 10.01.2024, it appears that petitioner is not named in the FIR. From perusal of the records, it appears that the allegation against the petitioner is of stolen battery of the informant from Basbitta near Basa of Yogi Paswan. Petitioner has not put on Test Identification Parade and has no criminal antecedent as stated in para 3 of the petition and his name surfaced in this case only on the basis of suspicion and confessional statement of accused/petitioner, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Khagaria in connection with Parbatta P.S. Case No. 452 of 2023.

7. The trial Court is directed to conclude the



proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and further the petitioner shall be present before the trial Court till conclusion of proceeding of trial.

(Ramesh Chand Malviya, J)

Anand Kr.

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

