

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55805 of 2024

Arising Out of PS. Case No.-598 Year-2023 Thana- BIRAUL District- Darbhanga

Subhash Kumar @ Subhash Kumar Yadav @ Mahakal @ Mahakul@
Subhash Yadav Son of Baiju Yadav R/O Village- Kuboton, P.S.- Kusheshwar
Asthan, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr Abdus Shakoor, Adv.
For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Biroul
P.S. Case No. 598 of 2023 instituted for the offences under
Section 392 of the Indian Penal Code.

3. As per prosecution case, while the Informant was
returning from Supaul Bazar to his house, three unknown
miscreants restrained him, snatched the keys of his motorcycle
and gave 3-4 blows of Fighter on his head due to which he
sustained injury on his head and fell down. It is alleged that two
mobile phones, golden *Hanumanjee* from the neck and cash of
Rs. 1,000/- were snatched by them.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner is not named in the F.I.R. and his name has surfaced in this case in course of investigation on the basis of the confessional statement of the co-accused Nazme Alam who was arrested in connection with Biroul P.S. Case No. 599 of 2023. The petitioner has one criminal antecedent and is languishing in judicial custody since 09.03.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Biroul P.S. Case No.



598 of 2023.

(Rudra Prakash Mishra, J)

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