

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47391 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- MANSI District- Khagaria

Shankar Yadav S/o- Late Rajendra Yadav Village- Majhanpur, P.S.- Balia,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Mansi (Khagaria) P.S.
Case No. 295 of 2023, instituted for the offences punishable
under Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that, some
unknown persons snatched the motorcycle and mobile of the
informant and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



also submits that the petitioner is neither named in F.I.R. nor arrested on spot. Name of the petitioner has transpired on the basis of confessional statement of co-accused person. No T.I.P has been conducted in this case. There is no recovery of stolen articles from the possession of the petitioner. The petitioner is in custody since 22.04.2024 and has got six criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 09.05.2024 passed in Cr. Misc. No. 35543 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mansi (Khagaria) P.S. Case No. 295 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

