

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50959 of 2024

Arising Out of PS. Case No.-216 Year-2022 Thana- BHAIKAVSHTHAN District-
Madhubani

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SANJAY KUMAR YADAV @ SANJAY YADAV, SON OF RAM
BAHADUR YADAV, R/O- VILLAGE- MILKI, P.S.- ALINAGAR,
DISTRICT.- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udeshya Yadav, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhairav Asthan P.S. Case no. 216 of 2022 registered under section 392 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he was returning, two accused persons on a motorcycle stopped him and on the point of pistol took away his bag containing Rs.55,000/- in cash, purse, ATM card etc.

4. Learned counsel for the petitioner submits that the FIR was registered against three unknown. The petitioner has been falsely implicated in the case because of his antecedents. The prosecution is mainly relying on the confessional statement of the petitioner made before police. Contrary to the allegations,



no incriminating article has been recovered as a result of the petitioner's alleged confession. He is in custody since 28.6.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, material that has transpired in course of investigation as is evident from the order of the learned trial Court, his being in custody for more than 1 year since 28.6.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bhairav Asthan P.S. Case no. 216 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I, Jhanjharpur, District- Madhubani.

(Partha Sarthy, J)

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