

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57284 of 2024

Arising Out of PS. Case No.-68 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

Avinash Kumar Yadav @ Avnish Kumar Yadav @ Avinash Kumar S/o Ashok
Yadav R/o vill - Tengrahi, P.S. - Bahera, Distt. - Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Prasad Yadav, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ghanshyampur P.S. Case No. 68 of 2022 dated 26.03.2022,
lodged under Section 395 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against six unknown accused persons against whom there is an
allegation that they have assaulted the informant and committed
robbery by taking Rs.13,00,000/- from his shop.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the name of the petitioner has been figured in this
case only by virtue of the confessional statement of the co-



accused. Counsel further submits that neither any incriminating material has been recovered from the petitioner's possession nor he was put on TIP. Counsel further submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail. The petitioner is in custody since 28.04.2022 in the present case.

5. Learned counsel for the petitioner further submits that other co-accused persons have been granted bail which has been mentioned in paragraph no.11 of the bail application. Counsel also submits that the case has been numbered as Sessions trial, but he is not sure that whether charge has been framed or not.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the rejection order, it transpires that the petitioner has been identified in the TIP having criminal antecedent.

7. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Ghanshyampur P.S. Case No. 68 of 2022 pending before the learned Additional Sessions Judge, Benipur, Darbhanga is **hereby rejected.**



9. Liberty is hereby granted to the petitioner that he may renew his prayer for bail six months from today if, trial shall not be concluded.

(Dr. Anshuman, J)

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