

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62579 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- BELDOUR District- Khagaria

Sahukar Yadav, aged about 32 years (Male), Son of Late Ramseth Yadav @
Ramset Yadav, Resident of Village- Rampur Rahua, Ward No. 16, P.S.- Sour
Bazar, Distt.- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rahul Singh, Advocate

For the Opposite Party : Mr. Ram Bilash Roy Raman, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Supplementary Beldaur P.S. Case No. 47 of 2024 dated
20.02.2024 registered for the offence punishable under Section
392 of the I.P.C.

3. As per the prosecution case, on 20.02.2024 at about
2.00 P.M., the informant went to his home by his motorcycle
after withdrawing Rs. 4,50,000/- through the Cheque from the
Union Bank, Mali Branch. It is further alleged that the
informant after taking meal at his home, while he was going
with the aforesaid amount alongwith two registers, cheque book
and other documents kept in a bag with respect to transaction, to



the C.S.P. Centre of his sister-in-law (*Bhabhi*) Laxmi Kumari by his motorcycle and his brother was going to his shop at *Kashnagar Bazar* in the district of *Saharsa* and as soon he proceeded ahead *Pipal tree* of the *Mali Phulwariya Path, Pir Baba Asthan*, three unknown miscreants boarded on a motorcycle stopped his motorcycle on the gun point and snatched the said bag containing Rs. 4,50,000/-, registers, cheque book and other documents. When he protested, they threatened him on the point of the country made *katta* on his temple near the forehead that if he raised any hulla he would be killed. They also snatched the key of his motorcycle, mobile of *Tecno Company* and thereafter they fled away from there towards *Kashnagar*. When he raised hulla, the nearby villagers assembled there.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case on the basis of the confessional statement of the co-accused Nitish Kumar which has got no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious possession of the petitioner. The recovered motorcycle in question does not



belong to the petitioner. The petitioner has not been put on T.I. Parade to ascertain the real culprit of the alleged offence. It is submitted that the other co-accused persons, namely, Mukesh Kumar and Bablesh Kumar have already been granted bail by a Bench of this Court vide Cr. Misc. No. 51324 of 2024 under order dated 12.08.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 17.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Khagaria in connection with Supplementary Beldaur P.S. Case No. 47 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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