

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70811 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Bhola Yadav Son Of Kishore Yadav Resident Of Village - Jitawa, P.S. -
Madhuban, District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 395 of the Indian Penal Code and Section 28 of the Arms Act.

3. As per allegation in the FIR, while the informant was returning with Ritesh Bhardwaj after performing puja, on the way, six miscreants on two motorcycles intercepted them and assaulted them. On pistol point, they snatched mobile and cash of Rs. 40,000/- from the pocket of the informant and fled away. But one of the accused persons has fallen on the ground, who was caught by the local people and disclosed his name as of the petitioner.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. Two stolen motorcycle which is said to have been recovered on confession of the petitioner, is not the stolen property and ownership of the alleged motorcycle is discussed in para 49 of the case diary. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has not been put on TIP as yet. Petitioner has got clean antecedent and languishing in judicial custody since 17.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VIII, Motihari East Champaran in connection with Pakri Dayal P.S. Case No. 152 of 2023.

(Sunil Kumar Panwar, J)

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