

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75929 of 2023

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

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Pappu Kumar Yadav @ Pappu Yadav, Son of Singheshwar Yadav @ Ram
Bahadur Yadav, Resident of Village - Adhaolam, P.S.- Bahera, District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhairavsthan 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 in course of investigation. The prosecution is mainly relying on the confessional statement of co-accused naming this petitioner and the confessional statement of this petitioner before the police. No incriminating article has been recovered as a result of the confessional statement nor has the petitioner been put on T.I.Parade inspite of his being in custody since 28.6.2023. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State who submits that material has transpired in course of investigation against the petitioner. The accused persons have confessed that they have committed the crime. The petitioner is accused in as many as nine cases from before.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, no incriminating article having been recovered from the petitioner's possession and charge-sheet having been submitted in the case without putting the petitioner on T.I.Parade inspite of his being in custody for more than 8 months since 28.6.2023, the petitioner is directed to be enlarged on bail in connection with Bhairavsthan 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 Chief Judicial Magistrate Ist Class, Jhanjharpur, Madhubani.

(Partha Sarthy, J)

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