

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82030 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- BIRAUL District- Darbhanga

SUNNY YADAV @ SANNI YADAV, SON OF LATE ARJUN YADAV, R/O
VILLAGE- NAYA TOLA JURABGANJ, P.S.- KODHA, DISTRICT-
KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anup Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Biraul P.S. Case No. 69 of 2023 for the offence registered under
Sections 356, 379 of the I.P.C.

3. As per FIR, the informant leveled allegation against
unknown for hatching conspiracy and deceiving the informant
while he went to withdraw some cash from the ATM, the
accused persons took Rs. 28,000/- and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the
present case due to his criminal antecedents. FIR has been



lodged against unknown and the name of the petitioner has been implicated in this case on his confessional statement, however, there is no recovery from the petitioner and no Test Identification Parade has been conducted in this case. Charge-sheet has already been submitted and there is no chance of tampering with the evidence. He further submits that similarly situated co-accused persons has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 21.12.2023 passed in Cr. Misc. No. 80693 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions on behalf of the parties and the facts and circumstances of the case, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in Biraul P.S. Case No. 69 of 2023, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(Sunil Dutta Mishra, J)

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