

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2785 of 2024

Arising Out of PS. Case No.-413 Year-2023 Thana- RAJGIR District- Nalanda

Birendra @ Biru Yadav SON OF INDRADEV YADAV RESIDENT OF
VILLAGE- NAULAKHA MANDIR, PS- RAJGIR, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakritita Sharma, Advocate

For the Opposite Party/s : Mr. Asha Devi , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-02-2024 Heard learned counsel for the petitioner

and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 379 and 414 of the Indian Penal Code.

3. As per the prosecution case, one person was apprehended in the *Mela* (fair) who made an attempt to steal some articles and on enquiry disclosed his name as *Binod Kumar* son of *Sobhi Yadav*, and upon search in front of two witnesses, two smartphones were recovered from him and on his confessional statement, three other accused were also made accused in this case in which



petitioner Birendra @ Biru Yadav is said to be one of them.

4. The learned counsel for the petitioner submits that the petitioner has been made accused in this case on the basis of the confessional statement of another co-accused person who was apprehended on the spot. No incriminating material has been recovered from his possession. The petitioner was neither present at the place of occurrence nor connected in any way with the alleged occurrence. Except for the confessional statement, there is nothing to show the complicity of the petitioner in this case.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as 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 the learned



Chief Judicial Magistrate , Biharsharif in connection
with Rajgir P.S. case No. 413 of 2023 , subject to
the conditions laid down under section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Koushik/-

U			
---	--	--	--

