

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38140 of 2025

Arising Out of PS. Case No.-162 Year-2023 Thana- DHAKA District- East Champaran

Chhotelal Yadav S/o Vishwanath Rai @ Vishwanath Ray RO Village-
Godhiya, P.S- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulshan Kumar S/o Rameshwar Prasad Resident of Village- Gamariya
Khurd, P.S Adapur, Dist- East Champaran

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Dhaka
(Panchpakari) P.S. Case No. 162 of 2023 instituted for the
offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, the allegation against
three unknown miscreants is of committing loot of Rs. 49,500/-
from the Informant while he was returning after collecting the
amount from the customers on a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



The petitioner is not named in the F.I.R. and his name has surfaced in this case on the basis of confessional statement of co-accused, namely, Vikki Tiwari and Shahid @ Sajid. Petitioner has not been arrested on the spot and there is no recovery of any incriminating article from his possession. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and is languishing in judicial custody since 14.11.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court vide order dated 02.08.2024 passed in Cr. Misc. No. 53158 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Dhaka
(Panchpakari) P.S. Case No. 162 of 2023 .

(Rudra Prakash Mishra, J)

Raj Kishore/-

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