

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47370 of 2025

Arising Out of PS. Case No.-11 Year-2023 Thana- BITHAN District- Samastipur

Rishi Yadav @ Rishi Kumar Yadav S/o Ram Prasad Yadav R/o Village- Kua,
P.S.- Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bithan P.S. Case No. 11 of 2023, registered for the offences under Sections 356, 379, 411, 323, 34 of the Indian Penal Code.

3. As per the prosecution case, three persons on a motorcycle stopped the auto of the informant and took away Rs.700/- and a mobile phone from the informant. The informant identified one person as co-accused Bansraj Yadav. While going to the police station to report the matter, the informant also met a person who was similarly waylaid and Rs. 1,400/- was taken away by the same miscreants. The name of the petitioner transpired during investigation for being involved in the said



occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in the case and allegation against him is baseless. The petitioner has been named in the case on the basis of confessional statement of co-accused Bansraj Yadav and except for that there is no direct or indirect material against the petitioner to show his involvement in the alleged occurrence. No Test Identification Parade has been carried out. The petitioner is having antecedent of three cases and he is on bail in all the cases. The petitioner is in custody since 19.10.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that name of the petitioner transpired during investigation for being involved in the said occurrence.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also his period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with



two sureties of the like amount each to the satisfaction of learned J.M. 1st, Rosera/concerned court, in connection with Bithan P.S. Case No. 11 of 2023, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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