

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69842 of 2024

Arising Out of PS. Case No.-313 Year-2024 Thana- BARUN District- Aurangabad

Madan Kumar, Son of Ram Sundar Yadav @ Sundar Yadav, Resident of
Village - Jankop, P.S. - Barun, District - Aurangabad (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party : Mr. Umesh Lal Verma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Barun
P.S. Case No. 313 of 2024 dated 13.07.2024 registered for the
offences punishable under Sections 309(6), 64(1) and 62 of
BNS, 2023.

3. As per the prosecution case, the informant is the
student of G.N.M.-Ist year of Prabhu Kailash Nursing College,
Santhua, Aurangabad. On 11.07.2024, at about 7.40 P.M., she
got down from the bus at Jasoyiba More and reserved a tempo
for her Nursing College which is at the distance of 3 K.M. from
Jasoyiba More but the tempo driver took her to the unknown
place because she was alone. She raised objection for the same.



In the meantime, she received a mobile call from her mother. Her younger brother has also instructed the tempo driver to reach her college immediately. Thereafter, the said tempo driver took her to a lonely place and snatched a bag containing Rs. 5030/- from her and molested her and fled away from there. One person came on the motorcycle and left her in the village at the house of one person from where the staff of the college came and took her at the Nursing College.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The F.I.R. has been registered against unknown. He has been arrested in the present case only on the basis of suspicion. It is further submitted that the petitioner has neither knowledge about driving of any vehicle as well as bike nor he was driving the tempo at the time of alleged occurrence but police unnecessarily arrested him showing driver of the said tempo. He is a student and he has no concern with the alleged offence. No incriminating article has been recovered from his possession. He was not put on T.I. Parade. He was not arrested on the spot. There is general and omnibus allegation against him. It is not a case of robbery. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.



The petitioner is in custody in this case since 14.07.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad in connection with Barun P.S. Case No. 313 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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