

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71334 of 2024

Arising Out of PS. Case No.-92 Year-2023 Thana- ALINAGAR District- Darbhanga

Binod Yadav Son of Bhutur Yadav Village- Pakri, Ps- Alinagar, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 85014 of 2024

Arising Out of PS. Case No.-92 Year-2023 Thana- ALINAGAR District- Darbhanga

Rakesh Yadav @ Rakesh Kumar Yadav Son of Ram Balak Yadav Resident of Village- Shankarpur Bhuskarawa, P.S.- Kusheshwar Sthan, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71334 of 2024)

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 85014 of 2024)

For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate

Mr. Pankaj Kumar Jha, Advocate

Mr. Jeet Kishor Mahto, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 03-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. The case of the prosecution is that the informant was



returning from his house on a bike and he was having a black color bag, which contain two register, two bill-book, two bunches of key and Rs. 2 lacks in cash. It is further alleged that one bike intercepted him, there were three persons on that bike. It is alleged that the accused persons snatched the bag. The FIR was lodged against unknown miscreants.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. In this case, both the petitioners have given their confessional statement as the informant has stated in his FIR that he can identify the accused persons. TIP was also conducted. It is also submitted that from perusal of para-7 of the TIP, it will transpire that the identification parade was disclosed in para-7 as to what act was being done by the accused, when he was identified, but from perusal of the TI Parade, it is simply written that they were identified in the light of bike. No act is alleged that is the defect in TIP. Nothing has been recovered from the possession of the petitioners. It is further submitted that the petitioners are languishing in judicial custody since 04.11.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that petitioner namely,



Binod Yadav is having criminal antecedent of three cases where he is on bail in all those cases. Petitioner namely, Rakesh Yadav @ Rakesh Kumar Yadav is having criminal antecedents of twelve cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners namely, **Binod Yadav and Rakesh Yadav @ Rakesh Kumar Yadav** are directed to be released on bail in connection with Alinagar P.S. Case No. 92 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Benipur, Darbhanga.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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