

**In the court of I/c. Sri Sanjay Kumar-VI, J. M. 1st Class
Udakishunganj.**

Gwalpara PS Case No. 80 of 2017.

G.R No.- 682 of 2017.

ORDER

21.01.2022 A bail petition filed through e-filing on behalf of the petitioner, namely, Mrityunjay Yadav, who is in custody since 20.09.2021, is put up for hearing through video-conferencing, a copy of which has been sent to the e-mail of Ld. APO.

It has been submitted on behalf of the petitioner that he is quite innocent and has been falsely implicated in this case due to more on suspicion. That, no bail prayer either anticipatory or regular on behalf of the petitioner in this case was earlier rejected by the learned sessions Judge or by the Hon'ble High Court nor such prayer is pending anywhere except the present prayer. That admittedly the petitioner is not named in the F.I.R nor any in criminating thing much less looted property has been recovered from his possession. The petitioner has not been put on T.I.P. nor any witness has claimed to identity him nor any legal evidence against him. The case has been registered u/s- 392 I.P.C. Which is neither applicable nor made out against the petitioner. The petitioner is ready to furnish bail bond as abide by your honour. He is man of means and he can neither abscond nor temper with the evidence. The petitioner is in custody since 20.09.2021, hence he may kindly be released on bail.

Learned A.P.O vehemently opposes the prayer for bail of the petitioner.

Heard both sides and perused the case-record. On perusal, I find that the F.I.R. has been registered u/s. 392 IPC. The petitioner's name has come in the confessional-statement of accused. In this occurrence, the miscreants looted informant's motorcycle, PAN Card, two A.T.M Cards and important documents in the bag while he was on his way to Naugachhiya Court . The case is under investigation.

Considering the serious nature of offence, I am not inclined to grant bail to the petitioner. Accordingly, his bail application is hereby rejected.

Dictated

I/C J. M.

Udakishunganj.

[Signature]
21/01/22