

In the Court of Sessions Judge, Darbhanga, Bihar.**B.P. No.-660/2024****In the matter of :-**

1.Mahesh Yadav son o Satrudhan Yadav

-----**Petitioner.****Vrs.**The State of Bihar -----**Opposite Party.****Learned counsel for the petitioner : Shri Fulendar Sah, Advocate.****Learned counsel for Opp.Party : Shri Nasiruddin Haider, P.P.**

=====

ORDER

26-09-2024 Heard the learned counsel for petitioner as well as learned P.P. for the state on the bail petition filed on behalf of above named petitioner, who is in custody since 23-07-2024 in connection with Bishanpur P.S. Case No. 61 of 2024 for offence U/S 392 of IPC.

As per FIR, prosecution case, in short is that on 31-05-2024 at 06.40 PM when informant was going to his rented house by his bicycle and when he reached near the village Mustafapur two miscreants boarded on a motorcycle caught the cycle of the informant, due to which he fallen from the bicycle and both miscreants snatched his bag containing ornaments, Nokiya Mobile bearing sim number 7645977743 and also snatched Rs.32,000/- from his pocket and fled away towards Bharaul. The informant became stunned by the incident. Thereafter he informed his son-in-law through mobile of passerby, who informed the police. On getting information Bishanpur police reached there and verify the C.C.T.V. footage.

Learned counsel for the petitioner submitted that the petitioner is innocent and he has committed no offence. It is further submitted that petitioner has been implicated in this case due to grudge, enmity and village politics. He further submitted that nothing incriminating has been recovered from the conscious possession of accused petitioner. He further submitted that accused petitioner is not named in the FIR rather his name has come in this case on the confessional statement of co-accused before the police, which has got no evidentiary value. He further submitted that accused petitioner is in jail custody since 23-07-2024. It is, therefore, prayed to enlarge the petitioner on

bail.

The learned Public Prosecutor opposed the prayer for bail.

Heard the parties and perused the record. From perusal of the FIR as well case diary it appears that accused petitioner is not named in the FIR. During investigation accused petitioner was arrested by the police with stolen pulsar motorcycle and country made pistol. After arrest accused petitioner has confessed his guilt as well as his involvement in the instant case. I.O. of this case has mentioned in para-63 of the case diary that accused petitioner has six criminal antecedent. The investigation of the case is completed and I.O. of this case found the involvement of accused petitioner in this case submitted charge sheet against him. . This court is of the view that if the accused be release on bail he would tamper the evidence and witness being influenced by him.

Considering the aforesaid facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage and accordingly, prayer for bail of the petitioner is hereby **rejected**.

(Dictated)

I/c Sessions Judge,
Darbhanga.
26-09-2024.