

Jabbu Yadav @ Jabbi Yadav vs The State Of Bihar on 30 August, 2017

Author: Prabhat Kumar Jha

Bench: Prabhat Kumar Jha

Patna High Court Cr.Misc. No.34178 of 2017 (3) dt.30-08-2017

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34178 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -KATIHAR Dist

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1. Jabbu Yadav @ Jabbi Yadav Son of Lelhu Yadav, Resident of Village-Naya Tola, Durga Asthan, Rautara, P.S. Rautara, District Katihar.

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Versus

1. The State of Bihar

..... Opposite Pa

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 30-08-2017

Heard both sides.

The petitioner seeks bail in Katihar (Town) P.S. Case No. 144 of 2016, registered for the offences punishable under Section 392 of the Indian Penal Code.

The prayer for bail of the petitioner was earlier rejected vide order dated 16.12.2016 passed in Cr. Misc. No. 43088 of 2016 on the ground that CCTV footage shows that the petitioner actively participated in the robbery and in snatching the bag containing Rs. 5 Lakhs from the possession of the informant.

Learned counsel for the petitioner submits that similarly situated co-accused Kare Yadav was granted bail vide order dated 13.02.2017 passed in Cr. Misc. No. 48126 of 2016 on the ground that

the petitioner was not put on test identification parade.

It appears that CCTV footage is admissible in evidence and that shows active participation of the petitioner in the crime.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

If the trial is not concluded within six months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J) KKSINHA/-

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