

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26477 of 2018**

Arising Out of PS.Case No. -43 Year- 2018 Thana -FORBESGANJ District- ARRARIA

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1. Dilkhush Kumar Paswan @ Dilkhush Kumar, Son of Brahmdev Paswan,  
resident of village- Ghibaha, Arraha, P.S. Forbesganj, District- Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
ORAL ORDER

3      24-05-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in Forbesganj P.S. Case  
No. 43/2018 registered under Section 392 of the Indian Penal  
Code.

Four unknown motorcycle borne criminals are said  
to have looted the mobile and cash of Rs. 1,25,000/- from the  
informant and cash of Rs. 92,000/- from his companion, namely,  
Mukesh Yadav.

It is submitted by learned counsel for the petitioner  
that no incriminating article has been recovered from his  
conscious physical possession. Though mobile phone has been  
seized from his possession but the said mobile is not looted one.



There is nothing on record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, which has no evidentiary value in the eye of law. There is no eye witness of the occurrence. Petitioner has no criminal antecedent. The petitioner has been languishing in custody since 26.01.2018 and similarly situated co-accused Chandrashekhar Kumar Yadav, Bhima Paswan and Bipin Kumar have been enlarged on bail by different co-ordinate Benches of this Court.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 43/2018.

**(Prakash Chandra Jaiswal, J.)**

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