

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33284 of 2019

Arising Out of PS. Case No.-336 Year-2018 Thana- DESARI District- Vaishali

Sanjeev Kumar Son of Ramsudin Singh Resident of Village - Bajitpur Malahi,
P.S.- Jandaha, District - Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Indra Kumar Singh

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

ORAL ORDER

2 20-05-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with Desari
(Sahedi O.P.) P.S. Case No. 336 of 2018 registered for the
offence punishable under Sections 395 of the Indian Penal
Code.

Six motorcycle borne criminals are said to have
looted Rs. 1,76,630/-, cheque book and mobile of the informant
on the point of pistol by intercepting his bike on the way.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
Petitioner is neither named in the FIR nor any incriminating
article has been recovered from his conscious physical
possession. There is nothing on record indicating the complicity
of the petitioner in the occurrence. Petitioner has been falsely



implicated in this case merely on the basis of his confessional statement recorded by the police during his custody in Desri P.S. Case No. 354 of 2018 which has no evidentiary value in the eye of law. Petitioner was not put on T.I.P. Petitioner has been languishing in custody since 25.01.2019 and two other accused persons, namely, Gautam Kumar and Sunjit Paswan @ Sunjit Kumar Paswan have been enlarged on bail by different co-ordinate Benches of this Court vide order dated 15.04.2019 and 09.05.2019 passed in Cr. Misc. Nos. 21306 of 2019 and 30657 of 2019.

On the other hand, learned APP for the State opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Vaishali at Hajipur in connection with Desari (Sahedi O.P.) P.S. Case No. 336 of 2018.

(Prakash Chandra Jaiswal, J)

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