

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4504 of 2021

Arising Out of PS. Case No.-403 Year-2020 Thana- BUXAR District- Buxar

AKSHAY KUMAR @ AKCHAY KUMAR Son of Bhola Ram Resident of
Village - Manikpur, P.S.- Manikpur, District - Chitrakut (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-06-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Buxar (Town) P.S. Case
no. 403 of 2020 registered under section 393 of the Indian
Penal Code.

As per allegation in the FIR, five accused persons on
the point of pistol made an attempt to commit robbery in the
shop. It is stated that three persons escaped on the motorcycle
while one of them, namely, Akshay Kumar was caught.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. He has
been apprehended under a misunderstanding. No incriminating



article has been recovered from his possession. He is in custody since 16.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State who submits that not only was the petitioner caught at the place of occurrence but the allegation is serious in nature.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody for 9 months and not having any criminal antecedent, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Buxar (Town) P.S. Case no. 403 of 2020 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, Buxar.

(Partha Sarthy, J)

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