

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14645 of 2022

Arising Out of PS. Case No.-290 Year-2019 Thana- KARJA District- Muzaffarpur

VICKY KUMAR @ SHUBHAM Son of Ram Bahadur Ray Resident of
Village - Dih Pakohi, P.S.- Karja, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

11 28-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Karja P.S. Case No. 290 of 2019, registered for the offence
punishable under Section 392 of the Indian Penal Code.

The petitioner is in custody since 10.02.2020. His
prayer for bail was earlier rejected by this Court by an order
dated 15.01.2021 in Cr. Misc. No. 35449 of 2020, considering
his criminal antecedent, as disclosed in paragraph 3 of the said
application.

Learned counsel appearing on behalf of the
petitioner has submitted that out of certain misconception, 34
cases were mentioned in the earlier application, in which the
petitioner's name had figured. He submits that instead, the



petitioner has been made accused in five cases other than the present one. He has further submitted that there is no material collected during the course of investigation justifying the petitioner's implication except for the confessional statement of a co-accused leading to no recovery of any article. He contends that the said extra judicial confession before the police, leading to no recovery of any article, has no evidentiary value.

Be that as it may, considering the circumstance that the petitioner has remained in custody for two and a half years and his name has emerged on the basis of the confessional statement of the co-accused, which had led to no recovery, as submitted on behalf of the petitioner, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Vth, Muzaffarpur, in Karja P.S. Case No. 290 of 2019.

(Chakradhari Sharan Singh, J)

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