

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39630 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- BENIPATTI District- Madhubani

PANKAJ KUMAR S/O BHARAT MAHTO R/o village- Siwaipatti, P.S.-
Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjana, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 392 of the Indian Penal Code.

As per the prosecution case, four accused persons on the point of knife, dispossessed the informant of his truck as also the goods loaded thereon. It is stated by the informant that he can identify the accused persons on seeing them again.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against four unknown. The name of the petitioner transpired in course of investigation on the confessional statement of Yogendra Kumar Yadav made before the police in course of the investigation. The learned trial Court



has committed an error on record in stating that parts of the truck was recovered from the garage of the petitioner. In fact it was recovered from the garage of one Mithilesh Sharma. No incriminating article has been recovered from the petitioner's possession. He is in custody since 13.3.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for over 11 months, the Court directs the petitioner to be enlarged on bail in connection with Benipatti P.S. Case no. 42 of 2021 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 ACJM, Benipatti, District-Madhubani.

(Partha Sarthy, J)

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