

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59395 of 2021**

Arising Out of PS. Case No.-46 Year-2021 Thana- PHULWARIA District- Begusarai

AMAN KUMAR Son of Mantosh Singh Resident of Village- Bichala Tola
Madhurapura, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 29-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Phulwaria P.S. Case No. 46 of 2021, registered for the offence punishable under Sections 386, 392 and 397/34 of the Indian Penal Code.

The allegation is regarding unknown miscreants having looted clothes worth Rs. 4,000/- and cash amount of Rs. 15,000/- from the shop of the informant, whereafter they are stated to have fled away.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 13.7.2021. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case upon the confessional statement made by the co-accused person, namely, Vikash Kumar, however, there is no evidence on record to connect the petitioner with the alleged crime.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the name of the petitioner has transpired in the present case upon the confessional statement made by the co-accused person before the police, which has got no evidentiary value in the eyes of law, apart from the fact that



the petitioner is languishing in custody since about eight months, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Begusarai in connection with Phulwaria P.S. Case No. 46 of 2021.

(Mohit Kumar Shah, J)

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