

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63499 of 2021

Arising Out of PS. Case No.-314 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

MD. KAUSHAR @ KAUSHAL Son of Md. Abbas @ Mohammad Abbas
Resident of Village - Rajajan, Police Station - Mansi, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-04-2022 Heard learned counsel for the parties.

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, on the informant stopping his pick-up van for checking it is stated that four accused persons came on motorcycles and took away his pick-up van.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. Referring to the order of the learned Court below rejecting the application for bail of the petitioner it is submitted that the name of the petitioner transpired in the confessional statement of a co-accused made before police. No incriminating article has been



recovered from the possession of the petitioner who is in custody since 25.6.2021 and charge sheet has been submitted in the case. He has no criminal antecedent. Co-accused Manish Kumar has been enlarged on bail vide order dated 7.10.2021 passed in Cr. Misc. no. 19394 of 2021 and Bittu Yadav has been enlarged on bail vide order dated 24.2.2022 passed in Cr. Misc. no. 50658 of 2021

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the name of the petitioner transpiring in the statement of a co-accused, no incriminating article having been recovered from the petitioner's possession, grant of bail to the above two co-accused and the petitioner having remained in custody for more than 9 months, the Court directs the petitioner to be enlarged on bail in connection with Sahebpur Kamal P.S. Case no. 314 of 2019 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, Begusarai.

(Partha Sarthy, J)

Prakash/-

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