

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2162 of 2023

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

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HONEY @ YUSUF KAUSHAR @ RAJ S/O NEYAZ KAUSHAR @ MD.
RAJA Resident of Village- Bagdulhan, P.S.- Town Hajipur, District- Vaishali.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 395, 397 of the Indian Penal Code.

As per prosecution case, the informant alleged that 6-7 accused persons entered the Finance Company of which the informant is the Branch Manager. The accused persons looted 55.777 Kg gold along with cash of Rs. 50,000/- and fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case merely on suspicion. No any looted article has been recovered from conscious possession of the petitioner rather his name has been transpired in this on the



basis of confessional statement of co-accused Ashif @Anshu Khan who is already getting the privilege of bail granted by a co-ordinate Bench of this Court vide order dated 25.3.2021 passed in Cr. Misc. No. 40946 of 2020, thereafter, the petitioner has been remanded in this case from Hajipur Town P.S. Case no. 212 of 2017. Moreover, petitioner is languishing in judicial custody since 18.4.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Town P.S. Case No. 1052 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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