

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5300 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- KASIMBAZAR District- Munger

Dinesh Kumar Saw @ Dinesh Kumar Son Of Late Durga Saw R/V- Amarpur,
P.S.- Mednichowki, District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 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 461,
379 of the Indian Penal Code.

As per prosecution case, informant alleged that on
06.10.2022, when he had gone to attend Durga Puja fair,
after breaking lock of his home cash of Rs. 1,50,000/-
generator, pumping set, invertor and other articles were
looted by some unknown miscreants. After that this case has
been lodged.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of the co-accused Md. Bholu, which has got no evidentiary value in the eye of law. Petitioner runs a scrap material shop from where alleged stolen articles have been recovered but from perusal of the FIR, it appears that the said articles do not tally with the recovered articles. Petitioner has no concern with the alleged occurrence nor he is named in the FIR. It is further submitted that nothing incriminating article has been recovered from conscious possession of this petitioner. He has got no criminal antecedent. Moreover, he is languishing in judicial custody since 11.10.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kasimbazar P.S. Case No. 263 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, Munger.

(Sunil Kumar Panwar, J)

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