

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4154 of 2023

Arising Out of PS. Case No.-109 Year-2020 Thana- KESARIA District- East Champaran

Pintu @ Nikesh @ Rawan S/O Shri Ashok Kumar Singh @ Ashok Kumar
R/V- Harnarayna, P.S.- Sikarganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 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 section 394 of the IPC but charge sheet has been submitted u/s 395, 397 of the Indian Penal Code.

As per prosecution case, on 15.3.2020 while the informant was at counter of Petrol pump, in the meantime, four miscreants came and assaulted the on his head and took Rs. 2,50,000/- from counter. They also looted cash of Rs. 50,000/- from Mithilesh Kumar and Mahamddin.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is nor named in FIR rather he has falsely been



implicated in this case on the basis of suspicion. Neither the petitioner has been put on TI Parade nor any incriminating article has been recovered from his conscious possession. The name of the petitioner has been sprang up in this case on the basis of confessional statement of co-accused Vishal Kumar thereafter he was remanded from Kartaha P.S. Case No. 2020. It is further submitted that the petitioner is languishing in judicial custody since 23.3.2022.

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 Kesariya P.S. Case No. 109 of 2020 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, Motihari at East Champarn.

(Sunil Kumar Panwar, J)

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