

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6541 of 2023

Arising Out of PS. Case No.-304 Year-2018 Thana- MADHEPURA District- Madhepura

ABHIMANYU KUMAR @ CHHOTU KUMAR S/O RAMANAND YADAV
Resident of village- Tituwaha, P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Barun Kumar Singh

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 414, 420/34 of the Indian Penal Code.

3. As per prosecution case, co-accused Banti Kumar is said to have been apprehended with a motorcycle which was being driven with a forged number plate. The name of the petitioner was disclosed by the apprehended person.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of disclosure made by co-accused who was apprehended on spot. Neither the petitioner was arrested on spot nor any incriminating article has



been recovered from his conscious possession. He has also not concerned with the seized motorcycle. It is further submitted that the petitioner is languishing in judicial custody since 28.6.2021. Similarly situated co-accused Banti Yadav has already been enlarged on bail granted by a co-ordinate Bench of this Court vide order dt. 15.1.2019 passed in Cr. Misc. No. 79640 of 2018.

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

6. 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 Madhepura P.S. Case No. 304 of 2018 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, Madhepura.

(Sunil Kumar Panwar, J)

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