

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9490 of 2023

Arising Out of PS. Case No.-451 Year-2021 Thana- BARAUNI District- Begusarai

Md Shamir @ Tapos Son Of Md Munna R/O Village- Fulwaria 2 Shukkan
Tola, P.S.- Fulwariya, District- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 392 of the Indian Penal Code and cognizance was taken under Section 392, 411 of the Indian Penal Code.

As per the allegation in F.I.R., three miscreants looted the motorcycle of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has committed no offence. Neither the petitioner is named in



F.I.R. nor he has been put on T.I.P. Nothing incriminating has been recovered from his conscious possession. There is no eye witness of the alleged offence. The name of petitioner sprang up in this case on the basis of confessional statement of co-accused person, namely, Bipin Kumar @ Ghenchha, before the police, which has no evidentiary value in the eye of law. Moreover, the petitioners are languishing in judicial custody since 22.03.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioner is directed to be enlarged on bail in connection with Barauni P.S. Case No. 451 of 2021 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 Judicial Magistrate, 1st
Class, Begusarai.

(Sunil Kumar Panwar, J)

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