

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9573 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- BEUR District- Patna

RAHUL KUMAR Son of Raj Kumar Patel Resident of at Kathautia Gali
Chowk Patna City, P.S.- Chowk, District - Patna, Pin - 800008.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akshay Lal Pandit
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 363 and 365 of the Indian
Penal Code and later on added Sections 302, 364, 201, 120B and
34 of the IPC.

As per prosecution case, in short is that on 29.04.2022
at about 1:30 pm informant's brother, who went to see off his
friend namely, Mantosh Kumar, called informant and asked to
handover cash of Rs. 1, 60,000/- to unknown person, who came at
04:00 PM to collect the said amount. Thereafter, the informant and
his family could neither contact his brother nor traced him.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown person. He has falsely been implicated in this case merely on the basis of confessional statement of himself before the police, which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused namely, Rushtam Ali @ Md. Rustam has already been granted bail by this Bench vide order dated 17.05.2023 passed in Cr. Misc. No. 18830 of 2023. He is languishing in judicial custody since 11.08.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Beur P.S. Case No. 189 of 2022.

(Sunil Kumar Panwar, J)

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