

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11103 of 2023**

Arising Out of PS. Case No.-492 Year-2021 Thana- SARAIYA District- Muzaffarpur

SAJAN KUMAR @ SAJAN RAM S/O RAM LAL RAM R/v- Shri Rampur,
P.S.- Kathaiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Raj Kishor Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 04-05-2023 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 395 of the Indian Penal Code.

As per prosecution case, it alleged that the petitioner along with other co-accused persons committed robbery in the bank and took away cash of Rs. 6,82,380/- from the bank.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his conscious possession. The name of the



petitioner has been transpired in this case on the basis of confession made by co-accused namely, Vinay Kumar Bhutkun before the police which has got no evidentiary value in the eye of law. Moreover, similarly situated co-accused namely, Saurabh Kumar has already been granted bail by this Court vide order 17.1.2023 passed in Cr. Misc. No. 42989 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 6.9.2021.

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 Saraiya P.S. Case No. 492 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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