

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11072 of 2023

Arising Out of PS. Case No.-732 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Bibhishan Kumar Son of Biso Mahto Resident of village-Dobadih (Dowadih),
P.S.- Shekhopur Sarai, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-07-2023 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 419, 420, 467, 468 and 471 of the Indian Penal Code.

As per allegation in the FIR, it is alleged that the informant, who is S.I. of Sheikhpura Police Station with the help of police personnel apprehended the petitioner along with other accused during patrolling duty and on search one debit card ATM along with 40,000/-rupees recovered from the accused Ashish Kumar and one touchscreen mobile recovered from this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated



in the present case merely on suspicion. The seizure list has not been prepared u/s 100 of Cr.P.C. Neither any incriminating article has been recovered from the possession or house of the petitioner nor he has concern with the co-accused persons. The alleged mobile set is of the petitioner. It is also submitted that the petitioner is a disabled person who is languishing in judicial custody since 24.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sheikhpura P.S. Case No. 732 of 2022 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 C.J.M., Sheikhpura.

(Sunil Kumar Panwar, J)

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