

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12054 of 2023

Arising Out of PS. Case No.-453 Year-2022 Thana- NAVINAGAR District- Aurangabad

1. Bipin Kumar S/O Kapilesh Ram R/v- Tarbiga Tol, P.S.- Nabinagar, District- Aurangabad (Bihar)
2. Dhiraj Kumar S/O Shri Dashrath Prasad @ Dashrath Chandravanshi R/v- Tarbiga Tol, P.S.- Nabinagar, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case, in brief, is that while the informant was going to Jalpa to discharge his official duty, two unknown miscreants on motorcycle came and stop the vehicle of informant. They forcibly took the motorcycle, mobile and other articles of the informant and thereafter they fled away.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Neither the petitioners are named in the F.I.R. nor they have been put on T.I.P. There is



no eye witness in this case. The name of the petitioners has been transpired in this case on the basis of their self confessional statement, before the police, which has no evidentiary value in the eye of law. The alleged motorcycle has not been recovered from the conscious possession of the petitioners. They have got no criminal antecedent. It is further submitted that the petitioners are languishing in judicial custody since 08.12.2022.

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 period of custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Nabinagar P.S. Case No. 453 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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