

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18261 of 2023

Arising Out of PS. Case No.-401 Year-2019 Thana- BIDUPUR District- Vaishali

KAUSHAL KUMAR @ KAUSHAL KUMAR SHYAM @ KAUSHAL @
KUMAR KAUSHAL KUMAR SHYAM Son of Rajushyam @ Rajukumar
Resident of village - Rahimapur, P.S.- Biddupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumari

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 379 and 356 of the
Indian Penal Code.

As per prosecution case, when the informant was
returning from outside, some unknown persons were riding on a
bike stopped the informant and thrashed him. Thereafter, they
took away his pulsar bike as well as his mobile.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
dirty village politics. He has committed no offence. Petitioner is
not named in the FIR, the same has been lodged against



unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Aman Kumar, which has got no evidentiary value in the eyes of law. No incriminating article has recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 12.10.2022.

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 Judicial Magistrate- 1st Class, Hajipur Vaishali in connection with Bidupur P.S. Case No. 401 of 2019.

(Sunil Kumar Panwar, J)

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