

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14024 of 2023

Arising Out of PS. Case No.-177 Year-2019 Thana- PARIHAR District- Sitamarhi

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DIP NARAYAN MAHTO @ DIPAK @ DIPU S/O ACHHELAL MAHTO
Resident of Village- Batuadih, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 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 392 of the Indian Penal Code.

As per prosecution case, three miscreants came on motorcycle and on the pistol point, they snatched informant's motorcycle. Cash collection of Rs. 6,35,000/- of the bank was also kept in the dickey of the said motorcycle. Accordingly, the present FIR has been lodged.

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. 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, Bijay Baitha who is already getting the privilege of bail granted by a co-ordinate Bench of this court vide order dt. 1.3.2021 passed in Cr. Misc. No. 35593 of 2020 hence, the case of this petitioner stands on similar footing of that of co-accused. It is further submitted that the petitioner is languishing in judicial custody since 28.6.2022.

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 custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Parihar P.S. Case No. 177 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. XV, Sitamarhi.

(Sunil Kumar Panwar, J)

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