

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15607 of 2023

Arising Out of PS. Case No.-291 Year-2022 Thana- PATNA GRP CASE District- Patna

Md. Shahid Son Of Md. Kabir R/O Village- Mubarakpur Fulkari, Ward No.9,
P.S.- Birpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar

For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 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 sections 328, 379, 307/34 of the Indian Penal Code.

As per FIR, allegation against the petitioner is that he along with co-accused persons stole his belongings including cash, mobile etc. from the informant after giving him intoxicant in soft drink. One co-accused person apprehended on spot who disclosed the name of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has falsely been implicated in this case on the basis of confessional statement of co-accused namely, Md. Masum who



was apprehended on spot. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. There is no specific overt act is attributed against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 2.6.2022.

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 the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patna Junction Rail P.S. Case No. 291 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII, Patna.

(Sunil Kumar Panwar, J)

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