

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15786 of 2023

Arising Out of PS. Case No.-135 Year-2021 Thana- BACHHWARA District- Begusarai

RAHUL KUMAR S/O Shiv Shankar Ray @ Nanhki R/O Village- Sahit Raja
Chawk, P.S- Vidyapatinagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Bharat Bhushan, App, 156

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-07-2023 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 sections, 392, 397 of the Indian Penal Code but chargesheet has been submitted u/s 395/412 IPC.

As per allegation in the FIR, while the informant was returning to his shop, two miscreants on a white colour motorcycle overtook him and on gun point looted his motorcycle and his bag.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR not put on TIP. There is no eye witness of the alleged occurrence. Nothing has been



recovered from his conscious possession. On the basis of his criminal antecedents, he has been dragged in the present case. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 5.7.2022 passed in Cr. Misc. No. 15679 of 2022. Petitioner is languishing in judicial custody since 17.08.2021.

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 CJM, Begusarai in connection with Bachwara PS Case No. 135 of 2021.

(Sunil Kumar Panwar, J)

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