

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15682 of 2023

Arising Out of PS. Case No.-272 Year-2021 Thana- LALGANJ District- Vaishali

BINAY RAI Son of Doman Ray Resident of Village - Salempur, P.S.- Lalganj
in the District of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 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 of the Indian Penal Code and Section 27 of Arms Act.

As per FIR, the allegation against the petitioner is to commit robbery and while committing so, on pistol point taken away Rs. 12,00,550/- from the informant, who is cashier of petrol pump.

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 on the basis of suspicion. Neither the petitioner has been 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, Raja Mahto which has got not evidentiary value in the eye of law. During investigation, nothing has come against the petitioner and he was remanded in this case from Baruraj P.S. Case No. 151 of 2021 on 15.11.2021 and since then he is languishing in judicial custody.

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 Lalganj P.S. Case No. 272 of 2021 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-XI, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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