

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16582 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- BEERPUR District- Begusarai

SUNIL KUMAR Son of Ramesh Paswan Resident of village - Mortar, Ward No.- 01, P.S.- Gadhpura, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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 394, 397, 307 of the Indian Penal Code and Section 27 of Arms Act.

As per FIR, prosecution case relates to loot of sum of Rs. 2,57,000/- along with two mobiles by unknown miscreants and they were also attempting to murder of the grandfather of the informant by means of firearm.

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 till date nor any



incriminating article has been recovered from his conscious possession rather his name has been transpired in this case on the basis of confessional statement of co-accused namely, Birju Paswan, before the police which has got no evidentiary value in the eye of law. It is further submitted that the petitioner is languishing in judicial custody since 6.11.2022.

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 Birpur P.S. Case No. 146 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 J.M. 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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