

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16162 of 2023

Arising Out of PS. Case No.-8 Year-2021 Thana- AKILPUR District- Saran

RAJ RUP KUMAR @ RAJ RUP RAY @ RAJ RUP @ RAJ Son of Late Lal
Babu Rai R/o Village - Nakta Diyara, P.S.- Digha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Satyendra Prasad

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 section **392** of the Indian Penal Code.

As per allegation in the FIR, four miscreants on two motorcycle overtook the informant's motorcycle and looted the entire silver and gold ornaments to which he was going to sell.

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. His name surfaced on the basis of confessional statement of co-accused Kunal Kumar



before the police, which has no evidentiary value in the eye of law. Petitioner is languishing in judicial custody since 2.10.2022.

The application for bail is opposed by learned APP for the State and submitted that petitioner has got three criminal antecedents of similar nature.

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 Judicial Magistrate 1st Class, Saran (Chhapra) in connection with Akilpur P.S. Case No. 8 of 2021.

(Sunil Kumar Panwar, J)

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