

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17091 of 2023**

Arising Out of PS. Case No.-302 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

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MD DIKHUSH @ MD DILKASH SON OF MD JAHANGIR RESIDENT
OF VILLAGE MAULANACHAK, BADRE ALAMPUR, KARORI BAZAR,
PS HABIBPUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 392 of the Indian Penal
Code and Charge-sheet has been submitted u/s 395 of the IPC.

As per prosecution case, the informant is a Senior
Officer, Administration BWWL, Bhagalpur, who is working for
cleaning the Ganges under National Mission, while the work
was going at Suryalok Complex regarding pipe fittings etc.
After, completing the daily work labourers were returning to



base camp, 3-4 unknown persons came near the tractor with weapons and assaulted the workers and snatched four mobile phones of four named workers, cash of Rs. 2500/- along with other articles and damaged the tractor.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR. Petitioner was initially arrested on the basis of suspicion by the police and thereafter, he was forced to sign on a plain paper, which was converted into his self confessional statement, which has got no evidentiary value in the eyes of law. No incriminating/robbed article has recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He is languishing in judicial custody since 25.08.2022.

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 J.M.-



1st Class, Bhagalpur in connection with Mouzahidpur P.S. Case
No. 302 of 2022.

(Sunil Kumar Panwar, J)

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