

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17623 of 2023

Arising Out of PS. Case No.-474 Year-2022 Thana- SIKARPUR District- West Champaran

Teras Kumar @ Taresh Kumar Son Of Sukadev Mahto Resident Of Village -
Kundilpur, Ward No. - 05, P.S. - Sikarpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case
instituted for the offence under Sections 365 and 120(B) of
the Indian Penal Code.

As per allegation in the FIR, on 6.6.2022 a call
was received by elder brother of the informant in which
accused persons have called him to Bhawanipur
immediately. Thereafter, he proceeded by Honda SP 125
Shine motorcycle from his house after giving information
to his wife that he will be back till evening. He did not
return till next date then a search was made by his family



members but they could not trace either his brother or the motorcycle then the present FIR was lodged against the accused persons.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The petitioner is not named in the FIR rather he has been made accused in this case merely on the basis of confessional statement of co-accused persons. No one is the eye witness of the alleged occurrence. During investigation, no consistent material has come to show his involvement in the present case. Similarly situated co-accused has already been granted bail this Court vide order dated 23.08.2023 passed in Cr. Misc. No. 37654 of 2023. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 29.11.2022.

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 concerned Court in connection with
Shikarpur P.S. Case No. 474 of 2022.

(Sunil Kumar Panwar, J)

Manishkumar/-

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