

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18504 of 2023

Arising Out of PS. Case No.-364 Year-2021 Thana- BALIYA District- Begusarai

AMIT KUMAR Son of Late Ganga Roy R/o vill.- Bhagatpur, P.S.- Ballia,
Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 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 394/34 of the I.P.C. but the charge sheet has been submitted u/s 395/397 of the I.P.C.

As per prosecution case, allegation against the petitioner is to commit robbery along with other co-accused persons and while doing so, taken away cash, mobile phones and other articles from the informant as well as his friend.

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 his self confessional statement which was recorded in connection with Ballia P.S.



Case No. 365 of 2021. Save and except, nothing has come against the petitioner to show his involvement in the alleged offence. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his conscious possession. Moreover, similarly situated co-accused namely, Munna Chaudhary has already been granted bail by this Court vide order dated 23.2.2023 passed in Cr. Misc. No. 66949 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 7.2.2022.

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 Ballia P.S. Case No. 364 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 J.M. 1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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