

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19623 of 2023**

Arising Out of PS. Case No.-114 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Danish Khan S/O Ekramuddin Khan Resident Of Village- Chhota Bariyarpur  
Motihari, P.S- Chhatauni, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar  
For the Opposite Party/s : Mr. Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      19-05-2023                      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 section 392 of the Indian Penal Code.

As per prosecution case, one truck bearing Reg. no. UP84T-9354 loaded with sariya iron rod about 10 tons, was going Patna to Pipra Kothi, meanwhile unknown miscreants looted the said truck. It is further alleged that on the basis of GPS fitted on the truck, it was recovered.

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 was arrested on spot nor any incriminating article has



been recovered from his conscious possession. The name of the petitioner has been transpired in this case on the basis of confession made by co-accused namely, Dhananjay Giri who is already getting the privilege of bail granted by a co-ordinate Bench of this court vide order dated 9.5.2023 passed in Cr. Misc. No. 9828 of 2023, hence the case of this petition stands on similar footing of that of the co-accused. Moreover, he is languishing in judicial custody since 19.11.2022.

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 Piprakothi P.S. Case No. 114 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 11<sup>th</sup> A.C.J.M, Motihari, East Champaran.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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