

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24415 of 2022

Arising Out of PS. Case No.-33 Year-2020 Thana- LAUKARIA District- West Champaran

MITHUN KUMAR Son of Shiv Mahto Resident of Village- Lalunagar, P.S.-
Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 12-01-2023

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 394 of the
Indian Penal Code.

As per the prosecution case, it is stated by the
informant that while he was returning, the four accused persons
on motorcycles intercepted them and on the point of a knife
robbed the informant, his brother and his neighbour of different
amounts of money totaling Rs.39,000/ in cash and their mobile
phones.

It is submitted by learned counsel for the petitioner
that the F.I.R. was registered against unknown. The petitioner
has been falsely implicated in the case in course of
investigation. One Saif Ali was arrested and the name of the



petitioner transpired in his confessional statement. No incriminating article has been recovered from the petitioner's possession. Another co-accused Md. Azad whose name also transpired in the said confessional statement has been enlarged on bail vide order dated 7.7.2022 passed in Cr. Misc. no.17435 of 2022. The petitioner is in custody since 24.1.2022 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation together with grant of bail to the above mentioned co-accused and the petitioner having remained in custody for more than 11 months since 24.1.2022, the Court directs the petitioner to be enlarged on bail in connection with Laukariya P.S. Case no.33 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Bagaha, West Champaran.

(Partha Sarthy, J)

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