

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27319 of 2023

Arising Out of PS. Case No.-556 Year-2022 Thana- KANTI District- Muzaffarpur

Md. Irshad @ Amit @ Chhathu S/O Md. Nasir R/O Village- Mirzapur, P.S-
Kantir, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-05-2023 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 392, 395, 412 of the Indian Penal Code.

As per FIR, the allegation against the accused persons is that they boarded in Bolero car came and on pistol point thrown away the driver of the alleged truck and fled away with the truck.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner was not apprehended on the spot and he has falsely been implicated in this case merely on the basis of confessional statement of co-accused. Neither the petitioner is named in the



FIR nor he was put on TIP. Nothing incriminating article has been recovered from his possession rather the alleged truck was recovered from one Pankaj Dhaba. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 01.05.2023 passed in Cr. Misc. No. 15463 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 21.03.2023.

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 Kanti P.S. Case No. 556 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 J.M., Ist Class, Muzaffarpur (West).

(Sunil Kumar Panwar, J)

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