

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32540 of 2023

Arising Out of PS. Case No.-268 Year-2021 Thana- DORIGANJ District- Saran

NIRAJ KUMAR SON OF LATE FAGU MAHTO R/O VILLAGE-
JAGDISHPUR, P.S.- DORIGANJ, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-08-2023 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 395 of the Indian Penal Code.

As per prosecution case, while the informant was returning from Chhapra after collecting money of the Utkarsh Small Finance Company, in the meantime, six unknown miscreants looted the cash of Rs. 46,860/- along with mobile phone from the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his conscious possession. The



petitioner has falsely been implicated in the case on the basis of confession made by co-accused namely, Raju Kumar who has already been granted bail by a co-ordinate Bench of this Court vide order dt. 3.5.2023 passed in Cr. Misc. No. 6906 of 2023 hence, the case of this petitioner stands on similar footing of that of co-accused. It is further submitted that the petitioner is languishing in judicial custody since 1.9.2022.

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 Doriganj P.S. Case No. 268 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 Additional Chief Judicial Magistrate-VI, Saran at Chhpara.

(Sunil Kumar Panwar, J)

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