

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31178 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- NOKHA District- Rohtas

Om Prakash @ Om Prakash Mahto Son Of Ramesh Singh R/O-Mirzapur,
P.S.-Dawath, Distt.-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 394 of the Indian Penal Code.

3. As per prosecution case, four unknown miscreants holding arms entered into the Bandhan Bank and took away cash of Rs. 1,94,710/-, three mobiles, three tablets along with a laptop on the point of pistol.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather his confessional statement has been made in Bikramganj P.S. Case No. 235 of 2022 and on the basis of same he has falsely been implicated in this case. Confession before police is inadmissible in the eye of



law. It is also submitted that cash of Rs. 4,270/- was recovered from house of the petitioner regarding which, he claims to be his own money. The seized material are not looted. The petitioner has also not been put on TI Parade. Similarly situated co-accused namely, Rohit Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dt 25.5.2023 passed in Cr. Misc. No. 27298 of 2023. Moreover, the petitioner is languishing in judicial custody since 2.11.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Nokha P.S. Case No. 167 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 Chief Judicial Magistrate, Rohtas.

(Sunil Kumar Panwar, J)

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