

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31681 of 2023

Arising Out of PS. Case No.-299 Year-2022 Thana- RAJGIR District- Nalanda

PUSHKAR RAJ @ RAJA KUMAR Son of Upendra Prasad Yadav @
Upendra Prasad Resident of village - Rajauli, Near Rajauli Block, P.S.-
Rajauli, District - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 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 379, 420 of
the Indian Penal Code.

According to the FIR, allegation has been made
against unknown who has withdrawn Rs. 40,000/- of the
informant from ATM machine.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The FIR
has been lodged against unknown and this petitioner has falsely
been implicated in this case. Nothing has been recovered from
conscious possession of the petitioner rather his name transpired



in this case on the basis of confession made by co-accused namely, Kaushal Kumar who is already getting the privilege of bail granted by a co-ordinate Bench of this court vide order dated 5.5.2023 passed in Cr. Misc. No. 5695 of 2023, hence the case of this petitioner stands on similar footing of that of the co-accused. It is further submitted that the petitioner is languishing in judicial custody since 8.9.2022.

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 Rajgir P.S. Case No. 299 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 C.J.M., Nalanda at Biharsharif.

(Sunil Kumar Panwar, J)

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