

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31660 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- NATHNAGAR District- Bhagalpur

LOVELY SHARMA @ LAVLI SHARMA SON OF BINOD SHARMA @
BINOD MISTRY @ BINOD MISTRI @ BINDESHWARI SHARMA
Resident of Village- Tilakpur Durgasthan, Police Station- Sultanganj, District-
Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Anita Kumari

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 395 of the
Indian Penal Code.

As per FIR, the informant alleged that 10-12 unknown
miscreants snatched his vehicle bearing Reg. No. BR10GA-
7484 loaded with DJ. They also snatched 6000/- rupees and
other articles and fled away.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused namely, Rishiraj Sharma



in another case. Neither the petitioner is named in the FIR nor he was put on TIP. It is further submitted that the alleged looted articles were recovered from road in front the rented room of the petitioner nor from his conscious possession. Moreover, similarly situated co-accused namely, Sawan Kumar has already been granted bail by this court vide order dated 22.5.2023 passed in Cr. Misc. No. 24636 of 2023. The petitioner is languishing in judicial custody since 22.09.2022.

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 Nath Nagar Madhusudanpur P.S. Case No. 379 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., Bhagalpur.

(Sunil Kumar Panwar, J)

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