

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36280 of 2023

Arising Out of PS. Case No.-34 Year-2022 Thana- MAHUA District- Vaishali

Umesh Kumar @ Umesh Sharma Son Of Pradip Sharma Village- Lahladpur
Baligaon Ps- Patepur Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Adv.

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 Let the defect(s), if any, be removed within two
weeks from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Mahua P.S. Case No. 34 of 2022 registered on 17.01.2022
lodged under Sections 392 of the I.P.C.

4. As per the prosecution case, allegation of robbery is
against three named accused persons, who came to commit the
said offence from the motorcycle.

5. Counsel for the petitioner submits that petitioner is
not named in the F.I.R. He submits that there is nothing specific
against the petitioner and name of the petitioner has been
figured in this case by virtue of self-confessional statement and

petitioner has made the said statement in the Police custody.

6. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 15.03.2022 having eleven criminal cases pending against him, but in this case petitioner is a victim of police atrocities. He submits that from the date of filing of the said cases it transpires that all the eleven cases have been filed within three days of lodging the present F.I.R. Counsel also submits that nothing incriminating has been recovered from the petitioner's possession nor he was put on T.I.P. He submits that other similarly situated co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 05.05.2023 in Cr. Misc. 12186 of 2023.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Vaishali at Hajipur in connection with Mahua P.S. Case No. 34 of 2022, subject to the conditions as laid down under Section 437(3) of

Cr.P.C.

9. With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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