

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36146 of 2023

Arising Out of PS. Case No.-347 Year-2022 Thana- HASPURA District- Aurangabad

Aman Kumar @ Aman Shah Son of Sanjay Kumar Resident of village -
Salempur, P.S. - Haspura, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-07-2023 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 392 of
the Indian Penal Code.

As per prosecution case, while the informant
along with his cousin and Bhabhi were coming from
hospital on a motorcycle and when they reached near
Koilwan More suddenly four persons on a splendor
motorcycle came there and stop his vehicle and out of four
persons, two persons snatched his motorcycle and they fled
away.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner is not named in the F.I.R. He has falsely been implicated in this case. The name of the petitioner has been transpired in this case on the basis of confessional statement of co-accused Chhotu Kumar and Rahul Kumar before the police which has no evidentiary value in the eye of law. Neither the theft motorcycle has been recovered from the possession of the petitioner nor he has concern with the same. The other co-accused namely Chhotu Kumar @ Chhotu Singh has already been granted bail by other co-ordinate Bench of this Court vide order dated 10.05.2023 passed in Cr. Misc. No. 13966 of 2023 hence, the case of this petitioner stands on better footing of that of the co-accused. Moreover, the petitioner is languishing in judicial custody since 14.12.2022.

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 period of 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



Haspura P.S. Case No.347 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 S.D.J.M.,
Daudnagar.

(Sunil Kumar Panwar, J)

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