

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45073 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- BAUNSI District- Banka

Shivam Kumar @ Shibam Kumar S/O Bablu Kumar @ Bablu Yadav R/O
Village- Jaipalpatti, Ward No. 26, Ps. And Dist. Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Chandra Bhaskar
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-09-2023 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, three unknown miscreants are alleged to have theft the vehicle of the informant when the driver of the informant went with to attend a marriage. Accordingly, the present FIR was lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR. He has falsely been implicated in this case on the basis of confession made by co-accused namely, Aman Raj before police. Neither the petitioner was put on TI



parade nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 1.12.2022.

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 Bounsi P.S. Case No. 57 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, Banka, Dist- Banka.

(Sunil Kumar Panwar, J)

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