

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41190 of 2023

Arising Out of PS. Case No.-169 Year-2022 Thana- MANJHAGARH District- Gopalganj

Prince Bharti S/O Nagendra Bharti Resident Of Village- Bhadaur Ps Shishvan
Dist Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 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 395 of the Indian Penal Code and Section 27 of Arms Act.

According to FIR, prosecution case relates to dacoity of several ornaments from jewelery shop of the informant by unknown accused persons. Thereafter, this case has been lodged against unknown.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of confessional statement of co-accused namely, Swami Nath Giri from whose possession,



the alleged stolen article has been recovered. Except confession, no any consistent material has come against the petitioner. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner has not put on TI Parade. Moreover, the petitioner is languishing in judicial custody since 19.11.2022.

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 Majhagarh P.S. Case No. 169 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. Gopalganj.

(Sunil Kumar Panwar, J)

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