

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41177 of 2023

Arising Out of PS. Case No.-234 Year-2021 Thana- KANTI District- Muzaffarpur

Bhawani Shankar @ Bhawani Kumar S/O Mangal Sah R/O Village- Dadar,
Ps. Ahiyapur, Dist. Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Sangeeta Sharma

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 392 of the Indian Penal Code and Section 27 of Arms Act.

According to FIR, prosecution case relates to theft of motorcycle as well as mobile phone of the informant by unknown miscreants on pistol point.

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 confession made by co-accused namely, Dipanshu Raj. Neither the petitioner was put on TI Parade nor any looted material has been recovered from his



conscious possession. It is further submitted that the looted motorcycle was recovered from possession of co-accused Amod Kumar which is evident from impugned order itself. Moreover, the petitioner is languishing in judicial custody since 23.3.2021.

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 him on bail. The above named petitioner is directed to be released on bail in connection with Kanti P.S. Case No. 234 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Muzaffarpur.

(Sunil Kumar Panwar, J)

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