

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46012 of 2023

Arising Out of PS. Case No.-260 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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SUNIL KUMAR @ SHUNIL KUMAR @ SUNIL KUMAR MUKHIYA S/O
MUSHAFIR MUKHIYA MANGALPUR RAKAHI WARD NO 12 PS
SHRINAGAR PUJAH DISTRICT WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 413, 414, 420, 467,
468, 471/34 of the Indian Penal Code.

3. As per prosecution case, the informant got an
information that, two persons on one motorcycle have snatched
a mobile of one pedestrian and fled away. The pedestrian one of
the miscreants and was beating him but the informant came at
that place and took the person in custody and motorcycle, on
enquiry, he disclosed his name Sunil Kumar (petitioner). On
search, there has been recovery of two smart phones from him
and one smart phone from other co-accused.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner has apprehended on spot. He submitted that the petitioner was going on his own motorcycle, but his motorcycle was dashed with another motorcycle rider on which two persons were there, who also fell down and from their possession some mobile phones fell on the ground, but they hurriedly fled away with their motorcycle and one Mithilesh Kumar under some misconception caught the petitioner and started assaulting and committing misbehave with him. Thereafter, when the police came at the place of occurrence, then in order to justify on highhandedness Mithilesh Kumar designed the story and sandwiched the petitioner in the incident. He further submitted that the recovered motorcycle belongs to the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 14.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner



on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Bettiah City P.S. Case No. 260 of 2023.

(Sunil Kumar Panwar, J)

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