

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44535 of 2023

Arising Out of PS. Case No.-408 Year-2022 Thana- ALOULI District- Khagaria

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Sujit Kumar S/O Sanjay Chaudhary R/O Village- Anandpur Hanna, Ward No. 05, P.S. Morkahi, Distt. Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Pushpa Sinha. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-07-2023 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 392 of the Indian Penal Code.

3. As per prosecution case, three unknown miscreants intercepted the informant and assaulted him with fists and also took away his motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case on the basis of confessional statement of other co-accused namely, Kaurav Kumar before police, which has got no evidentiary value in the eye of law. Exception



confession, nothing has come against the petitioner. No any incriminating material has been recovered from conscious possession of the petitioner. Similarly situated co-accused namely, Kaurab Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dt. 20.7.2023 passed in Cr. Misc. No. 42949 of 2023. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 19.3.2023.

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 Alauli P.S. Case No. 408 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., Khagaria.

(Sunil Kumar Panwar, J)

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