

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43071 of 2023**

Arising Out of PS. Case No.-415 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

Mukesh Kumar @ Balma Yadav @ Mithun Kumar @ Mithun Kumar Yadav
S/O Narsingh Prasad Yadav @ Narsingh Yadav R/O Gangti, P.S- Jagdeshpur,
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Jagdishpur P.S. Case
No. 415 of 2021 dated 19.12.2021 registered for the offences
punishable u/s 392 of the Indian Penal Code.

4. As per the prosecution case, three miscreants
boarded on a motorcycle intercepted the informant's truck and
looted Rs. 50,000/- on gun point. It is further alleged that in
course of snatching the money, the mobile of miscreants fell
down and they fled away from the spot.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused. No T.I.P. has been conducted by the prosecution. Nothing has been recovered from the possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Jagdishpur P.S. Case No. 415 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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