

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43532 of 2023

Arising Out of PS. Case No.-1118 Year-2022 Thana- ARARIA District- Araria

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Khalid Hussain @ Khalid Son Of Raisuddin @ Rais Resident Of Village-
Turkaili, Ward No.8, Ps- Jokihat, Dist- Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 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 sections 392 of the
Indian Penal Code.

As per prosecution case, three unknown miscreants
are said to have looted away Rs. 2,32,500/- from the
informant on the pistol point and fled away.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of co-accused and self confession of
the petitioner which does not get evidentiary value in the eye



of law. Neither the petitioner is named in the FIR nor any looted article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 11.05.2023 passed in Cr. Misc. No. 13885 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 08.02.2023.

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 Araria (Bairgachhi) P.S. Case No. 1118 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 CJM, Araria.

(Sunil Kumar Panwar, J)

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