

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48419 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- SIMRA District- West Champaran

ADITYA RAMAN @ ANUP KUMAR SRIVASTAVA S/O SRI AMITABH
KUMAR SRIVASTAVA @ BHUSHAN SRIVASTAVA R/O Village-
Laxmipur, P.S- Sikta, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore(App100)

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.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 395 of the Indian Penal Code.

As per prosecution case, while the informant along with one Gulshan Kumar Singh were coming after withdrawing cash of Rs. 11,07,000/- from Bank, meanwhile, some unknown miscreants intercepted them and looted away the aforesaid amount. Accordingly, the present FIR has been registered.

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 confession made by co-



accused persons namely, Anuj Kumar Chaube and Dipu Kumar before police. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, similarly situated co-accused namely, Shiv Kumar Sah has already been granted bail by this Court vide order dt. 5.5.2023 passed in Cr. Misc. No. 13415 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 22.10.2022.

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 Semra P.S. Case No. 07 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 A.C.J.M.,-1, Bagaha, West Champaran.

(Sunil Kumar Panwar, J)

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