

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44490 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- AGRER District- Rohtas

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BADAL KUMAR, Son of Umesh Paswan, Resident of Village - Kundwa, P.S.
- Agrer, Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Agrer P.S. Case No. 20 of 2023, dated 22.02.2023 registered for
the offence punishable under Section 395 of the Indian Penal
Code.

3. The main submissions advanced by learned
counsel Mr. Rajani Kant Singh appearing for the petitioner are
that as per FIR the instant matter relates to loot allegedly
committed by unknown persons and cash of Rs. 11,800/-,
Driving License, AADHAR Card and informant's motorcycle
were looted by the accused persons but against this petitioner
there is no legal evidence except his and other co-accused



person's confessional statements given before the police and after his arrest in the present matter he was not put on *test identification parade*, though as per the prosecution the looted motorcycle was recovered but the said recovery was made in following the disclosure made by the co-accused persons and not by this petitioner. Further submissions are that against this petitioner there is criminal antecedent of one case and in the present matter he has been languishing in jail since 24.02.2023 and against him the investigation has been completed.

4. Learned APP Mr. Nagendra Prasad appearing for the State has opposed the prayer for bail.

5. Having regard to the facts and circumstances of this case, considering the above submissions and mainly the facts that in respect of petitioner's involvement in the alleged crime of *Dacoity* the prosecution is mainly relying upon the confessional statement of this petitioner as reflects from the order impugned and against the petitioner, who is a young boy, investigation has been completed, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection



with Agrer P.S. Case No. 20 of 2023.

(Shailendra Singh, J.)

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