

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 46329 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- KUDHNI District- Muzaffarpur

Kunal Kumar S/O Dharmendra Sahni Resident Of Village- Bachhuman, P.S.-
Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

The petitioner is in custody in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

Allegedly, it is a case of snatching of mobile, purse
and key of the bike of the informant.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that from perusal of the FIR, it appears that the
informant was firstly intercepted by miscreants on two bikes,
subsequently it became three bikes, out of which the informant
has specifically stated that the petitioner was on Platina
Motorcycle with Reg. No. BR018022. Thereafter some
photographs were shown to the informant by the local persons



and on being identified by the informant, the local persons disclosed him to be the petitioner. This is nothing, but a cook and bull story developed by the informant at the behest of the local police. He further submits that as a matter of fact, the petitioner was apprehended on 16.06.2022 by the police in Kudhani P.S. Case No. 251 of 2021 and thereafter remanded in the instant case in which the petitioner was also implicated in a case of Arms Act and forced to make his confessional statement after coercion. The petitioner has been implicated in the instant case at the instance of the local Chowkidar with whom the father of the petitioner was having differences. He further submits that petitioner was neither arrested on the spot nor anything was recovered from his possession and has never been put on test identification parade. Petitioner is in custody since 18.06.2022.

Learned APP appearing for the State has opposed the prayer for regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned ACJM-I,
Muzaffarpur(West) in connection with Kudhani P.S. Case No.
228 of 2022.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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