

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50794 of 2023

Arising Out of PS. Case No.-874 Year-2022 Thana- TURKAULIYA District- East
Champaran

Subodh Kumar Singh S/O Triveni Singh @Triveni Prasad Singh R/O Village-
Garhwa, Ps. Singhiya, Dist. Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 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 392 and of
the Indian Penal Code.

As per prosecution case, the informant who is Truck
driver alleged that on 03.09.2022 he left Kolkata for Raxaul
Motihari on his Truck bearing Reg. No. JH10BV-3160 loaded
with biscuits of Jaya company and when he reached at
Chhapwa, a vacant DCM truck came from behind and parked
the truck in front of the informant's truck. Four miscreants
entered into the cabin of the driver and pushed the informant
beneath the seat and took him in a field, tied the hands, feet and



mouth and kept him in custody for one and half hour. After that they left the informant and fled. Somehow the informant managed to reach his truck and saw that 75% of the biscuits and Rs. 7000/- kept in the cabin of the truck and mobile was missing. Accordingly, this case has been lodged.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Neither the petitioner is named in the FIR nor put on TIP. During investigation, petitioner's name transpired in the confessional statement of co-accused Surendra Ram before the police, which has no evidentiary value in the eye of law. Nothing has been recovered from the possession of the petitioner rather in course of investigation co-accused Surendra Ram was apprehended by the police from whose possession ten cartoon biscuits were recovered. Petitioner is languishing in judicial custody since 20.12.2022.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Turkauliya/Banjariya PS Case No. 874 of 2022.

(Sunil Kumar Panwar, J)

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