

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47928 of 2023

Arising Out of PS. Case No.-93 Year-2023 Thana- RUPAULI District- Purnia

Mithun Harijan Son Of Sikendra Hairjan Resident Of Village Jangal Tola Po-
lice Station Rupauli Mohanpur Op District Purnea

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Mishra

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 342, 323, 386, 364(A), 506, 427/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per allegation in the FIR, the accused persons along with unknown persons armed with firearms came to the agricultural land of the informant and surrounded the driver and khalasi of the harvester machine and thereafter assaulted them. It is further alleged that accused persons called the owner of the harvester and demanded extortion money of Rs. 2,00,000/- and threatened of dire consequences.

4. It is submitted by learned counsel for the petitioner that he is innocent and has falsely been implicated in the present



case. He is not named in the FIR. His name transpired in confessional Statement of Rupesh Kumar Yadav, which has no evidentiary value in the eye of law. The victims of this case have also not stated the complicity of the petitioner in their statement recorded u/s 164 of the Cr.P.C. Similarly situated other accused namely, Md. Sajjad has already been enlarged on bail by this Court vide order dated 11.8.2023 passed in Cr. Misc. No. 51604 of 2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 24.5.2023.

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

6. 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 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 Chief Judicial magistrate, Purnea in connection with Rupauli P.S. Case No. 93 of 2023.

(Sunil Kumar Panwar, J)

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