

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49766 of 2023

Arising Out of PS. Case No.-176 Year-2021 Thana- TRIVENIGANJ District- Supaul

Abhishek Kumar @ Bhavesh @ Bhavesh Kumar Son Of Birendra Yadav
R/O-Kabiyahi, Ward No. 09, P.S.-Shankarpur, Distt.-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma

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.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 395, 397 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, the informant alleged that while he was going to his village on motorcycle, in the meantime, five miscreants surrounded him and one of them fired upon him. Thereafter, the miscreants snatched cash of Rs. 10-12 thousands along with mobile of the informant and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case. Neither the petitioner was put on TI



Parade nor any incriminating article was recovered from his conscious possession. His name transpired on confessional statement of co-accused Munna Kumar who is already getting the privilege of bail granted by a co-ordinate Bench of this Court vide order dt. 1.2.2023 passed in Cr. Misc. No. 45161 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 23.7.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the custody period 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 Triveniganj P.S. Case No. 176 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st Supaul.

(Sunil Kumar Panwar, J)

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