

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49597 of 2023

Arising Out of PS. Case No.-675 Year-2022 Thana- MADHAURAH District- Saran

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AKELA NUT S/O LATE PILHAR NUT R/O VILLAGE- DEV BABUARA,
PS. MARHOWRAH (MARHAURA) DIST. SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Tapeshwar Sharma

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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
instituted for the offence under Section 394 of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per prosecution case, four unknown miscreants
entered into the house of the informant after broken his door and
one firing was made and on the point of pistol looted away Rs.
80,000/-, Mangalsutra, silver chain, mobile phone and other
articles.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. The name



of the petitioner has come into light, on the basis of confessional statement of other co-accused. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that it is an error of record in the Sessions Judge order that one mobile was recovered from the possession of the petitioner but the fact has come in vide para-51 of the case diary that no mobile has been recovered from this petitioner. He is languishing in judicial custody since 12.04.2023.

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 period of custody, 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 Court below in connection with Madhaurah P.S. Case No. 675 of 2022.

(Sunil Kumar Panwar, J)

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