

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49750 of 2022

Arising Out of PS. Case No.-6 Year-2016 Thana- BUXAR INDUSTRIAL District- Buxar

TUNTUN SAH @ TUNTUN SAW Son of Mahabir Sah Resident of Village -
Tata Colony Maner, P.s.- Maner , Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-02-2023 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 sections 395 of the Indian Penal Code.

As per prosecution case, the informant who is living in a rental house of Vidhya Sagar for the purpose of education of her children. On dated 9.1.2016, around 10-15 miscreants entered in the house by putting a ladder on the roof. They committed loot and snatched several items along with 50,000/- cash by breaking the lock of the informant's box. They also committed loot in the room of another tenant Ajay Kumar Parmar in the same house. Accordingly, this case has been registered against unknown miscreants.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The petitioner is not named in FIR and he has falsely been implicated in this present case on the basis of suspicion. Neither the petitioner put on TI Parade nor any incriminating article has been recovered from his possession which shows his complicity in this present case. During course of investigation, the name of the petitioner has been disclosed by co-accused in his confessional statement before the police, which has got no evidentiary value in the eye of law. It is further submitted that the petitioner is languishing in judicial custody since 1.7.2022.

Learned APP appearing for the state has opposed the prayer of 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 in connection with Buxar (Industrial) P.S. Case No. 6 of 2016 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar.

(Sunil Kumar Panwar, J)

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