

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51914 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- BARAULI District- Gopalganj

Raju Mahato Son Of Basudeo Mahato Resident Of Village- Pakadi Dumariya,
Ps- Dumariya Ghat, Dist- Motihari

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 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 sections 392 of the Indian Penal Code and Charge-sheet has been submitted under Section 395, 412 of the Indian Penal Code.

As per prosecution case, the allegation against the unknown miscreants is that they on knife point took ATM Card from the informant and by getting ATM Pin Number, they withdrawn Rs. 15,600/- and snatched 1500/- cash from the pocket of the informant and they also snatched mobiles of the informant and his friend.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case merely on the basis of confessional statement of co-accused. Neither the petitioner is named in the FIR nor he was put on TIP. It is further submitted that nothing looted article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 24.06.2023 passed in Cr. Misc. No. 33910 of 2023. Moreover, the petitioner is languishing in judicial custody since 31.01.2023.

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 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 released on bail in connection with Barauli P.S. Case No. 42 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XIII, Gopalganj.

(Sunil Kumar Panwar, J)

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