

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54388 of 2023

Arising Out of PS. Case No.-399 Year-2022 Thana- KOTWALI District- Patna

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Ajay Diwedi S/O Late Brajbhushan Dwivedi Resident Of Village- Mathura,
P.S- Vidupur, District- Vaishali. At Present R/O Mohalla- House No. 19,
Shivji Park, Kankarbagh, P.S- Kankarbagh, Distt.- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Veer

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in connection
with Kotwali P.S. Case No. 399 of 2022 registered for the
offence punishable under sections 401, 413 and 414 of the
IPC.

Prosecution case relates to recovery of two gold
pendents from right paint pocket of the petitioner. On
interrogation, co-accused disclosed that he and the
petitioner used to cut locket from small children near
Hanuman Mandir taking the benefit of crowd.

It is submitted by learned counsel for the



petitioner that petitioner has been falsely implicated in this case. Petitioner has arrested from his rented house and police personnel booked him in a false case showing the alleged recovery. The petitioner has got no criminal antecedent. Police took his signature on plain paper and later on the same was manufactured as seizure list and the alleged seizure list bears the signature of police officials. Provision of Section 100 CR.P.C. has not been followed while preparing the seizure list. There is no prior complain lodged by anyone in respect of missing of the lockets. Petitioner has got no criminal antecedent and languishing in judicial custody since 23.7.2022.

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

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 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 Additional Sessions Judge-XI, Patna in



connection with Kotwali P.S. Case No.399 of 2022.

(Sunil Kumar Panwar, J)

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