

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54872 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- LAKHISARAI District- Lakhisarai

MITHUN CHAUHAN S/o LATE SANJAY CHOUHAN Resident of vill -
Bath, P.s. - Bath, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sourendra Pandey

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-11-2023 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 Sections 394, 395, 412 of the Indian Penal Code and Sections 25(1-b)A, 26 and 35 of the Arms Act.

3. As per prosecution case, some unknown miscreants overtake the informant's motorcycle and on the point of pistol snatched the money and other articles from him.

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 co-accused Mithilesh Kumar, which has got no evidentiary value in the eyes of law. himself in other case and remanded in the present case. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner rather in the seizure list a mobile was shown, which belongs to the petitioner itself. Petitioner has got no evidentiary value in the eyes of law. He is languishing in judicial custody since 03.03.2023.

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 C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 163 of 2023.

(Sunil Kumar Panwar, J)

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