

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54300 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Sagar Kumar @ Sagar Das Son Of Prakash Das R/O Aliganj (GANGTI Road), P.S.- Mojahidpur (BABARGANJ), District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Mojahidpur (Babarganj) P.S. Case No. 91 of 2022 registered under Sections 406, 379, 411 and 34 of the Indian Penal Code.

The prosecution case in nutshell is that informant, being a driver of the Toto(e-rickshaw), bearing Registration No. BR-10ER-4321, has hired four passengers and when he came down from the said vehicle, then co-accused persons along with petitioner fled away taking his vehicle, Mobile and rupees.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on suspicion. It is further submitted that the petitioner is neither named in



F.I.R. nor he has been put on TIP. The name of petitioner sprang up in this case on the basis of secret information. There is no material evidence against the petitioner which shows the involvement of petitioner in the present occurrence. Moreover, the petitioner is languishing in judicial custody since 25.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mojahidpur (Babarganj) P.S. Case No. 91 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

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