

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57392 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- BIRAUL District- Darbhanga

ANIL DAS S/O- MANGAL DAS R/O VILLAGE- MOHAN CHHARI, P.S.-
HATHAURI, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 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 365 of 364 of the
Indian Penal Code.

3. As per prosecution case, one miscreant came
outside the house of the informant by motorcycle and
informant's elder brother went away with him on the alleged
motorcycle. It is further alleged that his mobile was found
switched off and two threatening messages were received on the



mobile of the informant.

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. There is no consistent evidence and no eye-witness of the alleged occurrence. During investigation, the name of the petitioner has come into light, on the basis of confessional statement of Subhash Maharj, which has got no evidentiary value in the eyes of law. Nothing incriminating articles have been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 09.05.2023 passed in Cr. Misc. No. 6594 of 2023. He is languishing in judicial custody since 27.11.2022.

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 Court below in connection with Biraul P.S. Case No. 149 of 2022.

(Sunil Kumar Panwar, J)

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