

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55051 of 2023

Arising Out of PS. Case No.-1017 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Shambhu Sah Son Of Saryugh Sah R/O Shahabad, Ps- Sultanganj, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2023 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 a case registered for the offences punishable under Section 392 of the Indian Penal Code.

It is a case of robbery. Two miscreants hired the Toto vehicle of the informant Satish Mandal, near Bhagalpur Railway Station for going to Dogachchi By-pass, for a fare of Rs. 400/-. On the way, the two miscreants riding in the Toto vehicle, on gun point snatched his Toto Vehicle and fled away.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to high handedness of police officials. He is not named in the F.I.R. and his name has surfaced in this case on the basis of his



confessional statement before the police, which has no evidentiary value in the eye of law. From perusal of the impugned order, it is apparent that the said Toto vehicle recovered from the possession of the petitioner and other co-accused for which a separate case has been lodged in the Sultanganj Police Station, in which petitioner is getting the privilege of regular bail. The instant case also related to the said looted Toto vehicle. The petitioner is languishing in judicial custody since 18.01.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Nathnagar P.S. Case No.1017 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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