

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56931 of 2022

Arising Out of PS. Case No.-163 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Bindhyachal Kumar @ Bindhyachal Paswan S/O Prithwi Paswan @ Prithwi
Ram Resident Of Village- Karpurwa, P.S.- Darigaon, District- Rohtas
(Sasaram).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-01-2023 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 Mohania P.S. Case No.
163 of 2019 registered under sections 379 of the Indian Penal
Code and added Section 411 of I.P.C.

It is a case of theft of two trucks loaded with sacks of
rice.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this present only on suspicion. The
name of the petitioner came into light in this case only on the
basis of confessional statement of co-accused, namely, Arvind



Kumar Pal. It is further submitted that petitioner has no concern with the stolen article and nothing has been recovered from his conscious possession rather the other co-accused has direct complicity in this offence. Petitioner is not named in F.I.R. Similarly situated several co-accused persons have already been granted bail by this co-ordinate Bench of this Court which is annexed as Annexure-2 series. Petitioner is languishing in judicial custody since 16.06.2022.

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 Mohania P.S. Case No. 163 of 2019 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 A.C.J.M, Mohania, District- Kaimur.

(Sunil Kumar Panwar, J)

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