

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58478 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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B.P. KUMAR @ VIKESH KUMAR son of Gorelal Mahto @ Rajendra prasad
Village- Mohabbatpur Ps- Shekhopur Sarai Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 406, 419, 420, 467, 468, 471, 120B, and 34 of the Indian Penal Code.

As per prosecution case, it is alleged that the FIR named accused persons were apprehended on the spot and from their possession cash, many mobile phones, Aadhar Cards and other articles were recovered. It is further alleged that they were indulged in cheating of innocent people.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of co-accused. Neither the petitioner was apprehended on the spot nor he was put on TIP. It is further submitted that nothing incriminating article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 12.07.2023 passed in Cr. Misc. No. 39954 of 2023. Moreover, the petitioner is languishing in judicial custody since 24.07.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shekhopur Sarai P.S. Case No. 158 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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