

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58672 of 2023

Arising Out of PS. Case No.-416 Year-2022 Thana- CHANDAUTI District- Gaya

Chhotu Kumar @ B.C@ Rahul@ B.C.Rahul S/O Sanjay Sinha @ Sanjay Kumar Sinha R/O Mohalla- Godawari, Bhairo Asthan, Ps. Rampur, Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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 356 & 379 of the Indian Penal Code.

The prosecution case, in brief, is that the informant alleged that while she was returning home, in the meantime, two accused persons came near the informant and snatched her golden chain from her neck.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. Nothing looted article has been recovered from his conscious possession and his



name has been transpired in this case on the basis of confession made by co-accused namely, Rinku Pandit. The confessional statement of co-accused is inadmissible in the eye of law and except this nothing has come against the petitioner during course of the investigation. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 24.4.2023 passed in Cr. Misc. No. 12044 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 19.10.2022.

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 Chandauti P.S. Case No. 416 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 A.C.J.M.-VI, Gaya.

(Sunil Kumar Panwar, J)

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