

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62182 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- PRATAPGANJ District- Supaul

Ujjwal Kumar S/O Umesh Prasad Singh @ Umesh Kumar R/O Village-
Basantpur, Birpur, P.S- Birpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 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 Sections 365, 392/34 of the Indian Penal Code.

The allegation against the petitioner is to commit robbery along with other co-accused persons and while committing so taken Scorpio/vehicle of informant, which was taken initially on hire basis.

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. Neither the petitioner is named in the F.I.R. nor put on T.I.P. The F.I.R. has been lodged after the inordinate delay of 5 days without any plausible explanation. His nam has been transpired in this case merely on the basis of confessional statement of F.I.R. named co-accused Ramesh, which



has no evidentiary value in the eye of law. It is further submitted that except the confession of co-accused, no consistent material has come against the petitioner which shows his complicity in this case. No any incriminating material has been recovered from his conscious possession. The alleged vehicle was recovered from co-accused namely, Avinash Kumar and Chandra Shekhar Kumar, who have already been enlarged on bail by another coordinate Bench of this Court vide order dated 25.04.2023 passed in Cr. Misc. No.64831 of 2022 which is annexed as Annexur-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 25.03.2023.

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 Pratapganj P.S. Case No.68 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 S.D.J.M., Birpur, Supaul.

(Sunil Kumar Panwar, J)

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