

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56994 of 2022

Arising Out of PS. Case No.-54 Year-2019 Thana- ARWAL District- Jehanabad

LAVKUSH KUMAR Son of Ashok Singh @ Ashok Sharma R/V- Jaipur, P.S-
Mehandiya, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudrank Shivam Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-02-2023 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 section 394 of the Indian Penal Code.

Prosecution case relates to robbery of a Desire Tours Car bearing Registration No. BR01-PJ-5653 from the petitioner who was the driver of the alleged vehicle at the time of occurrence.

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 the present case on the basis of suspicion. Neither the petitioner has put on TI Parade nor any incriminating article has been recovered from his conscious possession. The name of



the petitioner came into light on the basis of confession made by co-accused during investigation which has got no evidentiary value in the eye of law. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similiary situated co-accused Manish Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 26.2.2020 in Cr. Misc. No. 84885 of 2019. The petitioner is languishing in judicial custody since 30.5.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Arwal P.S. Case No. 54 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad.

(Sunil Kumar Panwar, J)

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