

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60720 of 2023

Arising Out of PS. Case No.-128 Year-2021 Thana- MIRGANJ District- Gopalganj

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Shailesh Chauhan @ Shailesh S/O Sudama Chaudhan R/O Village- Fatehpur,
Tola Digha, P.S- Mirganj, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under sections 395
of the Indian Penal Code.

3. As per prosecution case, the allegation against the
unknown miscreants is that they came at the petrol-pump and
looted cash Rs. 12,500/- from the manning persons.

4. 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 is
named in the FIR nor he was put on TIP. It is further



submitted that no looted money 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 26.04.2023 passed in Cr. Misc. No. 22432 of 2023. Moreover, the petitioner is languishing in judicial custody since 06.02.2023.

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

6. 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 Mirganj P.S. Case No. 128 of 2021 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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