

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59544 of 2023

Arising Out of PS. Case No.-511 Year-2022 Thana- KESARIA District- East Champaran

Apsar Hussain @ Afsar Hussain Son Of Akbar Miya @ Akbar Hussain @
Akbar Miyan @ Md. Akbar Resident Of Village-Besakhawa, Police Station-
Kesariya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 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 394, 34 of
the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against four
unknown miscreants is that boarded on two motorcycles came
and snatched bike of the informant. It is further alleged that
when informant tried to stop them, they also fired upon him
due to which he sustained injury on his hand.

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 nothing looted article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 20.04.2023.

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 Kesariya P.S. Case No. 511 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 Judicial Magistrate-Ist Class, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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