

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60539 of 2023

Arising Out of PS. Case No.-287 Year-2023 Thana- HARNAUT District- Nalanda

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Arun Kumar Patel S/O Late Shyam Babu Patel @ Late Shyam Babu R/O
Village- Kachauri Gali Chowk, Bari Nagar (Nagala), Ps. Malsalami, Dist.
Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Onkar Nath

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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 section 392 of the
Indian Penal Code.

3. As per prosecution case, while the informant along
with his driver was going by vehicle, meanwhile some
miscreants intercepted and assaulted them. The miscreants also
took jewelery worth about 5,50,000/- and fled away. The
petitioner is alleged to have involved in conspiracy to loot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR rather his name was



transpired in the case on the basis of CDR report. It is further submitted that as alleged amount which was recovered from the petitioner, could not be claimed to be the looted one. The confession before police is inadmissible in the eye of law. The petitioner has got no criminal antecedent and languishing in judicial custody since 2.6.2023. Moreover, other co-accused Piyush Kumar was already enlarged on bail granted by a co-ordinate Bench of the Court vide order dt. 19.8.2023 passed in Cr. Misc. No. 52153 of 2023 which is evident from Annexure-2.

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

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Harnaut P.S. Case No. 287 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 District & Sessions Judge, Nalanda at Bihar Sharif.

(Sunil Kumar Panwar, J)

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