

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68748 of 2023

Arising Out of PS. Case No.-344 Year-2021 Thana- KATEYA District- Gopalganj

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PINTU CHAUHAN @ PINTU MAHATO S/O RAJ MANGAL CHAUHAN
@ RAJMANGAL MAHATO R/O VILLAGE- CHHITAUNA, PS. KATEYA,
DIST. GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla
For the Opposite Party/s : Mr. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

3. As per allegation in the FIR, four unknown miscreants boarded on two motorcycles came to the informant and threatened him to kill and demanded his motorcycle by abusing. The informant gave his motorcycle to the accused persons out of fear and thereafter they fled away with his motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. Petitioner is not named in the F.I.R. and same has been lodged against unknown persons. Neither the petitioner was apprehended from the place of occurrence nor anything has been recovered from his conscious possession. His name has been transpired in this case in the confessional statement of co-accused person recorded before the police, which has no evidentiary value in the eye of law. Save and except the confessional statement of co-accused there is no legal, cogent and reliable material available against the petitioner which shows his complicity in the alleged occurrence. Similarly situated co-accused namely, Sujeet Yadav has already been enlarged on bail by another co-ordinate Bench of this Court vide order dated 16.08.2023 passed in Cr. Misc. No. 50476 of 2023. Moreover, the petitioner is languishing in judicial custody since 19.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Kateya P.S. Case No. 344 of 2021.

(Sunil Kumar Panwar, J)

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