

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62610 of 2023**

Arising Out of PS. Case No.-974 Year-2015 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Kunal Sah Son Of Late Vishwanath Mahto @ Vishwanath Sah Resident Of
Mohalla - Maharaji Pokhar, Bahalkhna Road, P.S. - Nagar Thana, District –
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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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
instituted for the offence under Section 401 of the Indian Penal
Code.

3. As per prosecution case, on receiving secret
information that some miscreants are assembled and planned to
commit a crime, thereafter the police party reached there and
there has been recovery of one knife and pointed iron rod from
the possession of co-accused Sanjay Singh.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.



The name of the petitioner has come into light on the basis of confessional statement of co-accused Sanjay Singh, which has got no evidentiary value in the eyes of law. Only on the basis of suspicion, petitioner has implicated in the present case by the police due to his criminal antecedents. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 03.06.2023.

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 Court below in connection with Muzaffarpur Town P.S. Case No. 974 of 2015.

(Sunil Kumar Panwar, J)

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