

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62360 of 2023

Arising Out of PS. Case No.-343 Year-2022 Thana- KOTWA District- East Champaran

PAWAN KUMAR @ PAWAN YADAV Son of Ganesh Yadav R/o vill -
Laxmipur Gadariya, P.S. - Raghunathpur (O.P.), Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-09-2023 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 395 of the Indian Penal
Code.

3. The allegation against the petitioner along with
others is of committing dacoity and taken away loaded truck
with onion in possession of informant.

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
and he has no concern with the alleged occurrence. The name of
the petitioner has come into light, on the basis of confessional
statement of co-accused Umesh Ram, which has got no



evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 31.08.2023 passed in Cr. Misc. No. 36892 of 2023. He is languishing in judicial custody since 18.07.2023.

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 Kotwa P.S. Case No. 343 of 2022.

(Sunil Kumar Panwar, J)

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