

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62478 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- DARIYAPUR District- Saran

Rupesh Kumar Sah S/O Butai Sah Resident Of Village-Itwa, Sri Rampur,
Sirpal Basant, P.S.-Garkha, District-Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-12-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under Section
394 of the Indian Penal Code and Section 27 of the
Arms Act.

It is alleged that cash of Rs. 2,14,000/- of the
informant was robbed by three unknown criminals on
pistol point.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is not named in the F.I.R nor he was apprehended from the spot. The name of the petitioner subsequently sprang up on the confessional statement of co-accused Yash Kumar Mishra, which has no evidentiary value in the eye of law. The petitioner has still not been put on T.I.P. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is languishing in custody since 06.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail **after framing of charge, if the charge has still not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate, 13, Saran at
Chapra in connection with Dariyapur P.S. Case No. 14
of 2023.

(Sunil Kumar Panwar, J)

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