

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63998 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- BANIAPUR District- Saran

BITTU KUMAR @ BITTU PATEL son of Madho Prasad Village- Majhauri
Ps- Banipur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 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. As per prosecution case, when the informant was
returning to his home at village Rajauri on his motorcycle, the
petitioner and his associates intercepted him and snatched his
motorcycle and some valuable articles on the point of pistol.

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 is not named in the FIR and
the same has been lodged against unknown persons. The name
of the petitioner has come into light, on the basis of confessional



statement of co-accused Sonu Kumar, 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 28.06.2023 passed in Cr. Misc. No. 37185 of 2023. He is languishing in judicial custody since 23.06.2023.

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 C.J.M., Saran in connection with Baniyapur P.S. Case No. 88 of 2023.

(Sunil Kumar Panwar, J)

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