

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63906 of 2023

Arising Out of PS. Case No.-326 Year-2022 Thana- NAWADA MUFFASIL District- Nawada

SUMIT KUMAR @ MALLU SINHA son of Birendra Prasad Village- Karmi
Bigha Ps Chhabilapur Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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 registered for the offence punishable under section 395 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioner is to commit dacoity along with other co-accused persons and while committing so, taken away cash of Rs. 20,000/-, golden ornaments along with other articles from the house of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. He has falsely been implicated in this case on the basis of confessional statement of



co-accused Diwakar and Mukesh kumar. Neither he was put on TI Parade nor any incriminating article has been recovered from conscious possession of the petitioner. He has got no criminal antecedent as stated in para-3 of the petition. Moreover, he is languishing in judicial custody since 2.7.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nawada Muffasil P.S. Case No. 326 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III, Nawada.

(Sunil Kumar Panwar, J)

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