

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60631 of 2022

Arising Out of PS. Case No.-251 Year-2017 Thana- BAJPATI District- Sitamarhi

Rakesh Jha Son Of Late Devendra Jha Resident Of Village- Kumhra
Bishanpur, P.O.- Kumhra Bishanpur, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Barial

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 392 of the Indian
Penal Code.

As per allegation in the FIR, when the
informant was returning to his house then three
unknown miscreants looted the Motorcycle (Registration
No. BR-30Q-0593), mobile phone and Rs. 39,000/- in
cash.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R nor he has been put on T.I.P. No any incriminating article has been recovered from the conscious possession of the petitioner and his name sprang up in this case on the basis of confessional statement of co-accused Suvesh Das, before the police, which has no evidentiary value in the eye of law. It is also submitted that petitioner is languishing in judicial custody since 2.7.2019. Moreover, similarly situated co-accused person has been granted Bail vide order dated 04.04.2018 passed in Cr. Misc. No. 9885 of 2018 by the Co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail in connection with Bajpatti P.S. Case No. 251 of 2017 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupri, Sitamarhi.

(Sunil Kumar Panwar, J)

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