

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65616 of 2023

Arising Out of PS. Case No.-275 Year-2018 Thana- KHAGARIA District- Khagaria

BITTU SAH @ BITTU KUMAR Son of Bhushan Sah @ Shashibhushan Sah
Village- Bhawanipur Ps- Bakhri Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 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 394 of the Indian Penal Code.

3. As per FIR, the allegation against the unknown miscreants is that they boarded on a vehicle came and on pistol point looted cash Rs. 8,000/-, two mobiles from the informant and fled away.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis of confessional statement of



co-accused. The petitioner is not named in the FIR and he has no concern with the alleged occurrence. Neither the petitioner was put on TIP nor any looted article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by this Court vide order dated 02.05.2019 passed in Cr. Misc. No. 28463 of 2019. The petitioner is languishing in judicial custody since 05.05.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khagaria Muffasil P.S. Case No. 275 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist, Class, Khagaria.

(Sunil Kumar Panwar, J)

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