

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61624 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- THAWE District- Gopalganj

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VIVEK KUMAR SINGH Son of Vinod Kumar Singh @ Vinod Kumar R/V-
Rohara Kala, P.S- Barharia, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 392 & 411 of the Indian Penal Code.

The allegation against the petitioner is to commit robbery, along with other co-accused persons, and while committing so, they taken away one motorcycle which belongs to the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. During investigation, the name of the petitioner came into light on the basis of confessional statement of co-accused namely,



Rajnish Kumar Giri, which has got no evidentiary value in the eye of law. Neither the petitioner named in FIR nor any incriminating article has been recovered from his conscious possession which shows his complicity in this offence. Moreover, similarly situated co-accused Rajnish Kumar Giri has already been granted bail by a coordinate bench of this court vide order dated 22.12.2022 in Cr. Misc. No. 44675 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 16.2.2022.

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

Having heard learned counsel for the parties and considering 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 released on bail in connection with Thawe P.S. Case No. 238 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj.

(Sunil Kumar Panwar, J)

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