

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64110 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- BARHIYA District- Lakhisarai

Raushan Kumar, Son Of Dhina Ram, R/V- Ramnu Bigha, P.S.- Mehus,
District- Sheikhpura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 15-05-2023 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 Section 392 of the Indian Penal Code.

The prosecution case in nutshell is that while the informant (Driver) was going from Patna to Munger with Vehicle No. BR-01GH-8058, 3-4 unknown miscreants overtook his Scorpio Vehicle, forcibly made to sit him in their vehicle towards Sheikhpura and dropped him in the way. Thereafter, he informed the owner of



the vehicle and Barahiya Police whereupon the said vehicle was recovered from the Andauli More of Chewra P.S.(Sheikhpura) area.

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. Although, some looted articles have been recovered from the house of accused person but the recovered articles were not properly identified. The name of petitioner sprang up in this case on the basis of his self confessional statement, before the police, which has no evidentiary value in the eye of law. This case is triable by judicial magistrate. Moreover, the petitioner is languishing in judicial custody since 28.08.2022.

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 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 in connection with Barahiya P.S. Case No. 184 of
2022 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 Chief Judicial
Magistrate, Lakhisarai.

(Sunil Kumar Panwar, J)

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