

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70499 of 2023**

Arising Out of PS. Case No.-437 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Nitesh Kumar Pandey S/O Brajesh Pandey Resident Of Village- Mohmood
Nagar, P.S.-Muffasil Motihari, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prateek Tandon
For the Opposite Party/s : Mr.Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 06-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under Sections 457 and
380 of the Indian Penal Code.

3. As per allegation in the FIR, the unknown
miscreants entered in the house of informant and stolen LED
TV, Rs. 1,00,000/-, gold as well as silver jewellery.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case due to high handedness of police. Neither he is named in
the F.I.R. nor any incriminating or looted article has been



recovered from his conscious possession. His name has come in this case on the basis of confessional statement of co-accused before the police, which has no evidentiary value in the eye of law. Petitioner is languishing in judicial custody since 18.01.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari in connection with Muffasil P.S. Case No.437 of 2022.

(Sunil Kumar Panwar, J)

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