

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65010 of 2022**

Arising Out of PS. Case No.-359 Year-2022 Thana- MAHUA District- Vaishali

BIRU KUMAR @ BIRU BHAGAT Son of Mahendra Bhagat R/o-  
Chakmajjahid, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Rajesh Kumar

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

2      24-02-2023                      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 section 392 of the Indian Penal Code.

As per prosecution case, while the informant was returning home after attending marriage ceremony, in the meantime, four miscreants boarded on two motorcycles and snatched his mobile phone along with two SIM on pistol point, thereafter, they fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in FIR rather he has falsely been implicated in the present case on the basis of suspicion. The



name of the petitioner has transpired in this case on the basis of confessional statement of co-accused Rakesh Kumar, which has got no evidentiary value in the eye of law. Neither the petitioner has put on TI Parade nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial custody since 25.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner has got ten criminal antecedents.

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 Mahua P.S. Case No. 359 of 2022 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., Hajipur at Vaishali.

**(Sunil Kumar Panwar, J)**

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