

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67808 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- MOKAMAH District- Patna

Dev Kumar @ Dev Raj S/O Gyani Das R/O Village- Gurudeo Tola, Ward No. 2, Mokama, P.S- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 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 395 of the Indian Penal Code.

3. Allegation against five to six unknown persons is that they surrounded the informant and on the fear of knife, snatched his silver chain and bag.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of Rohit Kumar before the police which has got no evidentiary value in the eye of law. Nothing



has been recovered from the conscious possession of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide order dated 14.07.2023 in Cr. Misc No. 40891 of 2023. Moreover, the petitioner is languishing in judicial custody since 09.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mokama P.S. Case No. 102 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, Patna.

(Sunil Kumar Panwar, J)

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