

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64934 of 2022

Arising Out of PS. Case No.-345 Year-2022 Thana- RAFIGANJ District- Aurangabad

Upendra Paswan Son Of Indradeo Paswan @ Indrdev Paswan R/O Vill.-
Tarar, P.S.- Daudnagar, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Md. Nazir Ansari

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 sections 461, 379 of the Indian Penal Code further added section 414/34 of IPC.

The prosecution case, in brief, is that the informant has a tent house shop in a rental accommodation which was broken by some miscreants and looted generator set and other articles.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the case on the basis of suspicion. The petitioner has not named in FIR rather his name has been transpired in this case on the basis of confession made by co-



accused namely, Dharmendra Kumar and Ravi Kumar which has got no evidentiary value in the eye of law. Nothing incriminating article has been recovered from conscious possession of the petitioner which shows his complicity in the alleged offence. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 9.9.2022.

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 Rafiganj P.S. Case No. 345 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., Aurangabad.

(Sunil Kumar Panwar, J)

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