

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70282 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- AKBARPUR District- Nawada

VIKASH KUMAR @ PADWA S/O VIJAY YADAV @ VIJAY PRASAD R/O
VILLAGE- KODIHARA, P.S- MASAUDHI, DISTT.- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Atul Shankar

For the Opposite Party/s : Mr.Nityanand

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 regular bail in a case
instituted for the offence under Section 392 of the Indian Penal
Code.

3. As per prosecution case, the informant alleged that
his vehicle was driven by Shravan Kumar and in the night the
driver of the vehicle slept after parking the vehicle. It is further
alleged that in the night the driver was awakened by some
unknown persons and when the driver opened the gate of the
vehicle unknown miscreants entered into the vehicle and fled
away with the vehicle.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Chhotu Kumar @ Rajnikant Kumar, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He is languishing in judicial custody since 24.07.2023.

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 Additional Chief Judicial Magistrate-I, Nawada in connection with Akbarpur P.S. Case No. 74 of 2022.

(Sunil Kumar Panwar, J)

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