

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68972 of 2022

Arising Out of PS. Case No.-258 Year-2020 Thana- RIGA District- Sitamarhi

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KUNDAN YADAV S/O Rajkaran Ray R/O Village- Basbaria, P.S- Mehsaul O.P, Disrict- Sitamarhi	 Petitioner/s
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Versus

The State of Bihar	 Opposite Party/s
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Appearance :

For the Petitioner/s :	Mr.Dinesh Jha
For the Opposite Party/s :	Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 394, 302 of the Indian
Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, two unknown miscreants
riding on a motorcycle intercepted the informant and snatched h
is bag containing Rs. Five lakh and upon protest made by the
brother of the informant, one of the miscreants, who was driving
the motorcycle, fired upon him as a result of which he died and
thereafter, miscreants took the bag containing money and fled
away.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He is
innocent. No looted article has been recovered from possession



of the petitioner. On the basis of confessional statement of co-accused Pinku Kumar before the police, petitioner has been arrested. Save and except confessional statement, no other evidence is against the petitioner to show his involvement in the present case. As per allegation only two miscreants have committed loot but in FIR seven persons are named. Similarly situated four other co-accused persons have been enlarged on bail by different co-ordinate Benches of this Court. Petitioner is languishing in judicial custody since 28.06.2022.

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

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 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 CJM, Sitamarhi in connection with Riga P.S. Case No. 258 of 2020.

(Sunil Kumar Panwar, J)

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