

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72254 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- DARPA District- East Champaran

Kanhai Kumar @ Kanhaiya Kumar Baitha S/O Sadhu Baitha @ Raj Kumar
Baitha Village- Gamhariya Kala, Ps. Darpa, Dist. East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 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 Sections 457 and 380 of the
Indian Penal Code.

3. As per prosecution case, some unknown miscreants
committed theft in the house of the informant's uncle and taken
away T.V., Inverter, Battery, Motor, cash and other articles.

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 Vikash Kumar, which has got no



evidentiary value in the eyes of law. On the basis of suspicion, petitioner has been implicated in the present case. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 19.08.2023.

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 the 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 S.D.J.M., Raxaul at Motihari(East Champaran) in connection with Darpa P.S. Case No. 97 of 2023.

(Sunil Kumar Panwar, J)

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