

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72224 of 2023

Arising Out of PS. Case No.-549 Year-2022 Thana- PARBATTa District- Khagaria

Kanhaiya Kumar Son Of Santosh Chaudhary Resident Of Village - Sirajpur,
P.S. - Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Akshay Lal Pandit

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 registered for the offence punishable under sections 379, 356 and 34 of the Indian Penal Code and later on 392 and 411 of the IPC were added.

3. As per prosecution case, while the informant along with one other was going towards Bithla, meanwhile, three miscreants on a motorcycle arrived and snatched their mobile phones and fled from there.

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 co-accused person 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 rather the recovery has been made from other co-accused person who has already been granted bail by this Court vide Annexure-2 of the petition. The petitioner has not been put on TIP as yet. Moreover, he is languishing in judicial custody since 23.07.2023.

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 Parbatta (Maraiya) P.S. Case No. 549 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 SDJM-1st, Khagaria.

(Sunil Kumar Panwar, J)

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