

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76647 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- BIRAUL District- Darbhanga

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Bibek Kumar @ Vivek Kumar Son Of Rakesh Kumar @ Rakesh Kumar Ray
@ Rakesh Kumar Roy R/O Village- Sathgawa, P.S.- Vidyapati Nagar,
District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 64 of 2023 instituted for the offences under
Section 394 of the Indian Penal Code.

3. As per prosecution case, the Informant was going to
his home on bullet motorcycle with Rs. 10 lacs, hanging in the
handle of the motorcycle. On the way, three unknown criminals,
riding on a motorcycle, stopped the Informant on the gun point.
When the Informant opposed for the same, he was assaulted by
them and, thereafter, all the accused persons, after taking the
bag containing money, fled away from there.

4. Learned counsel for the petitioner submits that the



petitioner is an innocent person and has falsely been implicated in the present case out of enmity and dirty politics at the instance of the influential person of the society. The petitioner is not named in the F.I.R. and has been made accused in this case merely on the confessional statement given in connection with Biraul P.S. Case No. 164 of 2023 in which he confessed involvement in this case. It has also been submitted that nothing incriminating has been recovered from the conscious possession of the petitioner. The charge-sheet has been submitted by the police against the petitioner and others u/s 394 of the IPC. The petitioner has got three criminal antecedents as against him as has been stated in paragraph no.3 of the present bail application but, learned counsel for the petitioner submits in all the cases, the petitioner is on bail.

5. The petitioner is in custody since 15.06.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Biraul P.S. case No.
64 of 2023 (G.R. No. 122 of 2023).

(Rudra Prakash Mishra, J)

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