

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76449 of 2023

Arising Out of PS. Case No.-377 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Kishlay Kamal Son Of Rajkamal Resident Of Village- Kamakhiya Asthan,
Bhawanipur, Ps- K. Nagar, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 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 and 392 of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they snatched the car along with Rs. 5,000/- from the driver of the informant on pistol point and also assaulted him.

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 due to ulterior motive of the informant. The petitioner is not named in FIR. It is pertinent to mention here that the alleged looted silver colour Alto Car has been recovered on 25.03.2023 at Dorma P.S. Bihra, Saharsa and a



separate FIR had been lodged vide Bihra P.S. Case No 58 of 2023 against the petitioner along with other co-accused persons and the said alto car was seized. It is further submitted from para-11 of this petition that in Bihra P.S. Case No. 58 of 2023 in which nothing incriminating article has been recovered from the possession of the petitioner except two mobiles phones. He has no knowledge about the car which is stolen one he only took lift from that vehicle. Moreover, the petitioner is languishing in judicial custody since 30.06.2023.

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 K.Haat (Madhubani) P.S. Case No. 377 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea.

(Sunil Kumar Panwar, J)

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