

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74786 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- CHIRAIYA District- East Champaran

HIMANSHU KUMAR Son of Birendra Singh Resident of village - Bairiya,
P.S.- Kundwa Chainpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chiraiya P.S. case No. 181 of 2023 instituted for the offences
under Section 392 of the Indian Penal Code.

3. Prosecution allegation, in short, is that three
unknown miscreants boarded on one motorcycle, on the point of
pistol, looted mobile phone, cash and other articles from the
informant.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 24.07.2023 and has two
criminal cases but is on bail in both the cases. The petitioner has
falsely been implicated in the present case. Nothing has been



recovered from the possession of the petitioner. No specific overt act is alleged against the petitioner. Petitioner is not named in the F.I.R. The name of the petitioner has been dragged in this case on the basis of the confessional statement of the co-accused person, namely Shubh Narayan Ram. He further submitted that no T.I.P. has been conducted.

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

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

7. Let the petitioner 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 Chiraiya P.S. case No. 181 of 2023.

(Rudra Prakash Mishra, J)

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