

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76590 of 2023

Arising Out of PS. Case No.-470 Year-2023 Thana- NAANPUR District- Sitamarhi

SAMSHER KHAN SON OF MD. SHABBIR KHAN R/O WARD NO. 04,
VILLAGE- KOILY RASULGANJ URF KOILY, P.S.- NAANPUR,
DISTRICT- SITAMARHI, BIHAR- 843333

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Noushad Khan

For the Opposite Party/s : Mr.Mohammed Arif

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
instituted for the offence under Section 379 of the Indian Penal
Code.

3. As per prosecution case, the informant parked her
motorcycle beside the road and went for worshipping and when
she returned she found that her motorcycle was not there then
the F.I.R. has been registered.

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. The
name of the petitioner has come into light, on the basis of



confessional statement of co-accused Sajid Khan@ Lucky Khan, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 15.09.2023.

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 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 Additional District and Sessions Judge-XV, Sitamarhi in connection with Naanpur P.S. Case No. 470 of 2023.

(Sunil Kumar Panwar, J)

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