

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76883 of 2023**

Arising Out of PS. Case No.-247 Year-2021 Thana- SIDHWALIYA District- Gopalganj

ABHISHEK KUMAR @ ABHISHEK KUMAR PASWAN SON OF
AMITABH BHACHAN PASWAN RESIDENT OF VILLAGE - MORDIHRI,
POLICE STATION - JAMHOR, DISTRICT – AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 04-12-2023 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 392 of the Indian Penal
Code but charge-sheet has been submitted under Section 395 of
the IPC.

3. As per prosecution case, four miscreants got the
tank of their vehicle full and also snatched Rs. 23, 133/- from
the persons manning on a petrol pump.



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 and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused person, 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. He further submitted that the other co-accused has already been granted bail by a Coordinate Bench vide order dated 23.08.2022 passed in Cr. Misc. No. 26259 of 2022. He is languishing in judicial custody since 18.09.2021.

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 Judicial Magistrate 1st Class,



Gopalganj in connection with Sidhwalia P.S. Case No. 247 of
2021.

(Sunil Kumar Panwar, J)

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