

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4382 of 2023

Arising Out of PS. Case No.-28 Year-2014 Thana- BIDUPUR District- Vaishali

BIRU KUMAR Son of Shashi Bhushan Ray @ Banbari Rai Resident of
Village - Lakhanpur Tal, P.S.- Desari, District - Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-09-2023 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 461, 379, 435, 427 of the Indian Penal Code.

3. As per prosecution case, it is alleged that some miscreants committed theft of Rs. 2,25,500/- by cutting volt of the ATM machine by using gas cutter. Besides this, a loss of Rs. 3,25,000/- had been caused by damaging the ATM machine.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name was transpired in the present case on the basis of confessional statement of co-accused Guddu Kumar & Prem Kumar who have already been



enlarged on Bail granted by a co-ordinate Bench of this Court vide order dt. 23.9.2014 which is evident from Annexure-2. Nothing has been recovered from conscious possession of the petitioner. Moreover, he is languishing in judicial custody since 28.6.2022.

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 period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bidupur P.S. Case No. 28 of 2014 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

