

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77389 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- BHAGWANPUR District- Vaishali

Dablu Kumar Son of Manoj Sah R/O Vill - Sustha Madhopur (Vishunpur
Gidda Madhopur), P.S. - Maniyari, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Meena Singh, APP

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

ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 164 of 2023 instituted for the
offences under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that on
10.07.2023, while the Informant was going to his in-laws house,
the motorcycle borne unknown persons surrounded him. They
assaulted him and took away his motorcycle, mobile, Bluetooth,
helmet and cash worth Rs. 6,300/-.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is not named in the F.I.R. and his
name has surfaced in this case on the basis of the confessional



statement of co-accused/Rajesh Kumar which is not admissible evidence in the eyes of law. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. Nothing incriminating has been recovered from the possession of the petitioner. No T.I.P. has been held till date. He further submits that the other co-accused/Md. Faisal and Rajesh Kumar has been granted bail by a Co-ordinate Bench of this Court vide orders both dated 29.11.2023 passed in Cr. Misc. No. 76754 of 2023 and 74456 of 2023 respectively.

5. The petitioner is in custody since 24.07.2023.

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

7. Considering the entire facts and circumstances of the case taking into account the period of custody, let the petitioner, abovenamed, 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 Bhagwanpur P.S. case No. 164 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

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

