

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1914 of 2023

Arising Out of PS. Case No.-469 Year-2022 Thana- PATRAKARNAGAR District- Patna

SHASHIBHUSHAN KUMAR SON OF SUKHU SAO R/O MOHALLA-
NAYA TOLA, DABARGALI, KUMHARAR, P.S.- AGAMKUAN, DISTT.-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 395 of the
Indian Penal Code.

The allegation against the petitioner is to commit
dacoity along with other unknown co-accused persons and while
committing so took away cash of Rs. 50,000/-, mobile phones
and ornaments belong to informant and his family members.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of
confessional statement of the co-accused namely, Amit Kumar.



Neither petitioner is name in the FIR nor he is put on TIP. It is further submitted that nothing incriminating articles have been recovered from his conscious possession. He has got no criminal antecedent. Similarly situated co-accused Triloki Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 20.03.2023 passed in Cr. Misc. No. 73367 of 2022. The petitioner is languishing in judicial custody since 17.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patrakarnagar P.S. Case No. 469 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist, Class, Patna.

(Sunil Kumar Panwar, J)

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