

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74550 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- MOUZA HIDPUR District- Bhagalpur

Malinga Tanti @ Amit Kumar Son Of Bhubneshwar Tanti R/V- Aliganj
Gangti, P.S- Mojahidpur (Babarganj) Dist- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 406/34 of the Indian Penal Code.

The prosecution case in nutshell is that the informant took four persons on his Toto, bearing registration number BR-10-ER-4321, and when he went to discharge urine on the side of road, then the persons sitting on Toto fled away with Toto.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he has been put on T.I.P. His name sprang up in this case on the confessional statement of co-accused Sagar Das from whose possession the Toto is question was recovered. Nothing has been recovered from the possession of the petitioner. Moreover, the petitioner is languishing in judicial custody since 25.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Mojahidpur (Babarganj) P.S. Case



No. 91 of 2022 on furnishing bail bond of Rs. 10,000/-

(Rupees ten thousand) with two sureties of the like

amount each to the satisfaction of the learned Judicial

Magistrate, 1st Class, Bhagalpur.

(Sunil Kumar Panwar, J)

nirajkrs/-

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