

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1306 of 2023

Arising Out of PS. Case No.-260 Year-2022 Thana- WARISNAGAR District- Samastipur

RAHUL KUMAR Son of Upendra Mahto Resident of village - Matua, P.S.-
Waris Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 03.09.2022 and has antecedent of seven cases.

The informant alleges that on 18.08.2022 while he was going to his matrimonial home when he was intercepted by three accused persons on a motorcycle who on point of gun looted him, it is further alleged that after committing the occurrence when the accused were fleeing the informant noted the number plate of the motorcycle of the accused persons as



BR-33A-4422.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that the name of the petitioner transpired in his own confessional statement when he was arrested in Warisnagar P.S. Case No. 261 of 2022 which is not admissible in evidence, it is also submitted that FIR was against unknown.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner has antecedent of seven cases and it would not be prudent to release him on bail in the nature of the allegation as alleged.

Considering the submissions made by the learned A.P.P. the Court is not inclined to release the petitioner on bail.

However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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