

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82670 of 2023

Arising Out of PS. Case No.-256 Year-2023 Thana- KHODAWANDPUR District- Begusarai

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SUMAN KUMAR SON OF ANIL KUMAR SINGH RESIDENT OF
VILLAGE- PUWARI TOLA, POLICE STATION- MANJHAUL, DISTRICT-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 At the outset, learned counsel for the petitioner is permitted to make necessary corrections in this petition.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner has prayed for regular bail in a case instituted for the offence under Section 379 of the Indian Penal Code.

4. As per prosecution case, when the informant was urinating after stopped his motorcycle and forgot the ignition key on the motorcycle. In the meantime, some unknown



miscreants came on motorcycle and taken away informant's motorcycle in which, a mobile phone was kept in its handle.

5. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Sandeep Kumar, which has got no evidentiary value in the eyes of law. There is no specific allegation against the petitioner and the recovery of as alleged mobile from him is a cooked up story to implicate him in the present case. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. He further submitted that the trial of this case is triable by learned Judicial Magistrate. He is languishing in judicial custody since 08.09.2023.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 256 of 2023.

(Sunil Kumar Panwar, J)

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