

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82553 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- BARGAINIA District- Sitamarhi

1. Mukesh Kumar @ Mukesh Paswan @ Mukesh Kumar Paswan Son Of Sonelal Paswan Resident Of Village- Majhaura Ps- Bela, Distt-Sitamarhi
2. Rakesh Kumar @ Rakesh Paswan Son Of Sonelal Paswan Resident Of Village- Majhaura Ps- Bela, Distt-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 395 of the IPC & Section 27 of Arms Act.

The prosecution case in nutshell is that seven miscreants break into the house of informant after breaking the lock of main door. They took informant's wife and son in custody and thereafter, they took different types of gold and silver ornaments by breaking



the Godrej.

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. Nothing incriminating has been recovered from his possession. The name of petitioner sprang up in this case on confessional statement of co-accused Mithlesh Mandal. Moreover, the petitioner is languishing in judicial custody since 31.11.2022.

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 petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Bairgania P.S. Case No. 217 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) each with two sureties of the like amount
each to the satisfaction of the learned Chief Judicial
Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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