

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80585 of 2023

Arising Out of PS. Case No.-143 Year-2022 Thana- KANHAULI District- Sitamarhi

1. Mukesh Kumar @ Mukesh Paswan @ Mukesh Kumar Paswan Son Of Sonelal Paswan R/O Village- Majhaura, P.S.- Bela, Dist.- Sitamarhi
2. Rakesh Kumar @ Rakesh Paswan Son Of Sonelal Paswan R/O Village- Majhaura, P.S.- Bela, Dist.- 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 14-12-2023 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 Sections 395, 397 of the

Indian Penal Code and Section 3/4 of Explosive Substance

Act.

The prosecution case in nutshell is that 6 to 7

miscreants, variously armed, entered into the house of

informant after breaking the lock of gate and 10-12

miscreants have surrounded his house from outside.



They took out the ornaments of his father, his wife and ornaments kept in the Almirah and taken away Rs. 2,17,000/-. It is further alleged that the miscreants have taken away CCTV camera and also exploded bomb in course of fleeing away.

It is submitted by learned counsel for the petitioner that the petitioners are innocent and he has falsely been implicated in the present case. Neither the petitioners are named in F.I.R. nor they have been put on T.I.P. Nothing incriminating has been recovered from their possession. The name of petitioners sprang up in this case on confessional statement of co-accused Mithilesh Mandal and Jangali Paswan. Moreover, the petitioners is languishing in judicial custody since 23.01.2023.

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 Kanhauli P.S. Case No. 143 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 Judicial Magistrate
1st Class, Sitamarhi.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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