

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82661 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- BARGAINIA District- Sitamarhi

1. MUKESH KUMAR @ MUKESH PASWAN @ MUKESH KUMAR PASWAN SON OF SONELAL PASWAN RESIDENT OF VILLAGE - MAJHAURA, POLICE STATION - BELA, DISTRICT - SITAMARHI
2. RAKESH KUMAR @ RAKESH PASWAN SON OF SONELAL PASWAN RESIDENT OF VILLAGE - MAJHAURA, POLICE STATION - BELA, DISTRICT - 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.Nand Kumar

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.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Section 398 of the Indian Penal Code.

3. As per prosecution case, some unknown miscreants entered into the house of the informant after breaking his door and assaulted the informant. It is further alleged that when the miscreants saw a patrolling vehicle they fled away and left an axe in the informant's house.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They



have committed no offence. Petitioners are not named in the FIR and the same has been lodged against unknown persons. The name of the petitioners has come into light, on the basis of confessional statement of co-accused Mithilesh Mandal and Mukesh, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioners. No T.I. Parade has been done. They are languishing in judicial custody since 30.11.2022.

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

6. 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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Bairgania P.S. Case No. 289 of 2022.

(Sunil Kumar Panwar, J)

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