

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82636 of 2023

Arising Out of PS. Case No.-511 Year-2023 Thana- BIHPUR District- Bhagalpur

MITHU CHOUDHARY @ NIKESH CHOUDHARY @ NIKESH KUMAR
SON OF GYANDEV CHOUDHARY RESIDENT OF VILLAGE -
GORADIH, P.S. - GORADIH, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 394 of the Indian Penal
Code later on added under section 412 of the IPC.

3. As per prosecution case, some unknown miscreants
came and on the point of pistol looted the informant's
motorcycle and mobile and other article.

4. 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 and
the same has been lodged against unknown persons. The name
of the petitioner has come into light, on the basis of confessional



statement of co-accused Manish Kumar, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He is languishing in judicial custody since 22.08.2023.

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 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 A.C.J.M.-1s, Naugachia, Bhagalpur in connection with Bihpur P.S. Case No. 511 of 2023.

(Sunil Kumar Panwar, J)

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