

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4090 of 2024

Arising Out of PS. Case No.-173 Year-2022 Thana- CHACKMEHSI District- Samastipur

Rahul Kumar son of Vinodh Mahto Village Po- Chakmehsi Ps- Chakmehsi
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 382 of the Indian Penal Code.

3. As per allegation in the FIR, informant is engaged as Branch Manager in L & T Finance Company and on 9.10.2022, while he was going to Bartetea Chowk via Chakmeshi, three motorcycle borne unknown miscreants looted his mobile, several documents, key of motorcycle and raincoat from dickie and fled away.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither the petitioner is named in the FIR not put on TIP. There is no



eye witness of the alleged occurrence. Nothing has been recovered from his conscious possession. Name of the petitioner surfaced in this case on the basis of confessional statement of apprehended Shambhu Sun and Rohit Sah, which is inadmissible in the eye of law. This case is triable by judicial magistrate. Petitioner is languishing in judicial custody since 11.7.2023.

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, 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 CJM, Samastipur in connection with Chakmeshi P.S. Case No. 173 of 2022.

(Sunil Kumar Panwar, J)

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