

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4440 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- RAJNAGAR District- Madhubani

Mahesh Kumar Son of Daya Ram Yadav R/o vill - Mahinathpur, P.S. -
Rajnagar, Distt. - Madhubani Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Minakshi Kumari

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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.

The petitioner is languishing in custody in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

It is alleged that cash of Rs. 25,000/-, mobile and motorcycle of the informant were robbed by four unknown criminals.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R nor he was apprehended from the spot. The petitioner has been roped in the present case only on the basis of confessional statement of co-accused and the self confession of the petitioner, which has no evidentiary value



in the eye of law. Moreover, nothing has been recovered from the conscious possession of the petitioner and the petitioner has still not been put on T.I.P. This case is triable by judicial magistrate. The petitioner is languishing in custody since 22.10.2023. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 1.2.2024 passed in Cr. Misc. No. 3939 of 2024. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Class, Madhubani in connection with Raj Nagar P.S. Case No. 271 of 2023.

(Sunil Kumar Panwar, J)

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