

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7616 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- NAUGACHIA District- Bhagalpur

Sumit Kumar @ Sumit Kumar Yadav @ Sumit Kumar Bdo S/O Sanjay Yadav
@ Sanjay Kumar Village- Jagatpur, Ps. Parbatta, Dist. Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-02-2024 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 392 of the Indian Penal Code.

3. As per allegation in the FIR, when the informant. riding on his motorcycle. reached near railway over-bridge Naugachia, three miscreants overtook him and on gun and knife point looted his motorcycle and fled away. Thereafter, FIR was lodged by the informant against three un-known persons.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Neither he 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 and his name appeared on the basis of confessional statement made by co-accused Manish Chaudhary, which is inadmissible in the eye of law. Looted motorcycle was recovered from possession of co-accused Vijay Yadav as per submission of learned counsel, who has already been granted bail by this Court vide order dated 13.12.2023 passed in Cr. Misc. No. 79987 of 2023. Petitioner is languishing in judicial custody since 22.8.2023.

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 Additional Chief Judicial Magistrate, 3rd, Naugachia in connection with Naugachia P.S. Case No. 280 of 2023.

(Sunil Kumar Panwar, J)

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