

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8133 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- MANSI District- Khagaria

ISHWAR KUMAR S/O- PULKIT YADAV R/O- VILLAGE- UTERSRA,
P.S.- SALKHUA, DIST.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Budhilal Yadav

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2024 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 charge-sheet has been submitted under Section 392 and 411 of the IPC but in the impugned order, Section 34 of the IPC has been wrongly mentioned.

3. As per FIR, the allegation against three unknown miscreants is that they boarded on a motorcycle came and and on pistol point snatched motorcycle of the informant and fled away.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this present case merely on the basis of confessional statement of co-accused which is not admissible in the eye of law. The petitioner is not named in the FIR and he has no concern with the alleged occurrence. Neither the petitioner was apprehended on the spot nor any incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 10.11.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mansi P.S. Case No. 78 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Khagaria.

(Sunil Kumar Panwar, J)

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