

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11261 of 2024

Arising Out of PS. Case No.-396 Year-2023 Thana- SITAMARHI District- Sitamarhi

Kanhaiya Kumar Yadav Son of Upendra Rai Resident of village- Baswariya,
Mehsaal, Pacchim Rampur Laxmi Nagar, P.S.- Sitamarhi (Mehsaal O.P.),
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-02-2024 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 FIR, the allegation against unknown
miscreants is that they on pistol point snatched cash bag
containing Rs. 20950/-, tab, mobile, biometric and other
articles from 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, namely, Munna Kumar Singh @ Kishan Kumar 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 put on TIP nor any looted article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 03.11.2023.

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 Sitamarhi (Mehsul O.P) P.S. Case No. 396 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 Chief Judicial Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

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