

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13292 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- KARPURIGRAM District- Samastipur

Shiv Kumar, aged about 21 years, Male, Son of Upendra Paswan @ Kari Paswan, Resident of Village- Shambhupatti, P.S.- Karpoorigram (Karpurigram), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Karpurigram PS Case No. 105 of 2023 instituted for the offences punishable under Sections 392 and 411 of the Indian Penal Code.

3. As per the prosecution case, the informant was intercepted by three unknown miscreants and they looted away cash of Rs. 46,891/- of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that the name of the petitioner surfaced during course of investigation on the



basis of statement of a witness due to previous enmity. He has not named in the FIR and nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 02.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned A.D.J.-IX, Samastipur dated 06.01.2024, it appears that petitioner is not named in the FIR but during course of investigation his name has surfaced on the basis of statement of witnesses. Similarly situated co-accused persons namely, Ashish Kumar @ Jatha has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 84924 of 2023 vide order dated 09.01.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Karpurigram PS Case No. 105 of 2023.

(Ramesh Chand Malviya, J)

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