

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17374 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Shivam @ Subham @ Supan @ Sibbu Son Of Akhilesh Rai Resident Of
Village - Dighih Kala West, P.S. - Sadar Hajipur, District - Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha

For the Opposite Party/s : Mr.Dr. Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-03-2024 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 sections 394, 307 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, it is alleged that the informant has given an advertisement for selling his mobile phone for which one person called to purchase the same. It is further alleged that on 22.3.2023 when the informant arrived at fixed place, two miscreant came and snatched his mobile phone. When the informant protested, the miscreants fired upon him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name came into light on



the basis of confessional statement of co-accused Abhishek Kumar before police. The confession before police is inadmissible in the eye of law. Neither the petitioner was put on TI Parade nor any incriminating article has been recovered from his possession. It is further submitted that the petitioner is languishing in judicial custody since 23.8.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 198 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 C.J.M., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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