

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17346 of 2024

Arising Out of PS. Case No.-761 Year-2023 Thana- MAHUA District- Vaishali

Vivek Kumar S/o Ram Dular Rai @ Ram Dular Ray R/o Vill - Muradpur, P.S.
- Mahua, Dist. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

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 section 392 of the Indian Penal Code.

3. As per prosecution case, some miscreants are said to have robbed in the shop of the informant on pistol point and while committing so, taken away Rs. 30-40 thousand.

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. The petitioner was apprehended during investigation thereafter, his confession was made and on the basis of which he has falsely been implicated in this case. It is also submitted that the confession before police



is inadmissible in the eye of law. Only a mobile and Rs. 1800/- Rs have been recovered from possession of this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 31.11.2023.

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 **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Mahua P.S. Case No. 761 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 J.M. 1st Class, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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