

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18569 of 2024

Arising Out of PS. Case No.-74 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

Vivek Kumar Son of Vijay Kumar Resident of Village - Choubepur, Police
Station - Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 13-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nawada Muffasil P.S. Case No. 74 of 2023 instituted for the
offences under Sections 419, 420, 467, 468, 471 and 34 of the
Indian Penal Code.

3. As per prosecution case, the informant, who is at
presently posted S.I. in Muffasil P.S. on 15.02.2023 received
release order of seized truck bearing Registration No. JH-094-
5451 from the office of Excise Superintendent through memo
no. 289 dated 13.02.2023. In the light of the said order, Vikram
Kumar, nephew of the truck owner in presence of the witness
Deepak Kumar got released the said truck on proper
identification. Later on it was informed from Excise Office that
this was a fake release order.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has come into light on the basis of confessional statement of co-accused Md. Safik Alam @ Mister, which has no evidentiary value in the eyes of law. There is no specific allegation against the petitioner. The petitioner is in custody since 23.01.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Nawada Muffasil P.S. Case No. 74 of 2023.

(Rudra Prakash Mishra, J)

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