

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21913 of 2024

Arising Out of PS. Case No.-474 Year-2023 Thana- MASHRAK District- Saran

Kamlesh Kumar son of Ram Nath Ray Village- Sanwaliya Ps- Baikunthpur
Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Ms. Mili Kumari, Advocate

For the State : Ms. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mashrak P.S. Case No. 474 of 2023 instituted for the offence
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, informant was
accosted with four unknown miscreants while he was on his
way and on gun point, they looted cash to the tune of Rs.
1,10,000/- and motorcycle and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07-11-2023. Petitioner



bears one criminal antecedent as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner was not named in the FIR. Name of the petitioner has transpired in this case on the basis of the confessional statement of co-accused, namely, Bittu Kumar, and the same has no evidentiary value. No incriminating article was recovered from the possession of the petitioner. Petitioner was not put on T.I. Parade. Other co-accused has been granted bail by this Court, *vide* order dated 26-02-2024, passed in Cr. Misc. No. 11827 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Mashrak



P.S. Case No. 474 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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