

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46612 of 2024**

Arising Out of PS. Case No.-252 Year-2023 Thana- BHAGWANPUR District- Vaishali

Uday Kumar, Son of Babulal Bhagat R/o Vill.- Paru Kuswatola, P.S.-Paru,  
Dist.- Muzaffarpur (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 3      20-07-2024      1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Bhagwanpur P.S. Case No. 252 of 2023, dated 19.10.2023, registered for the offence(s) punishable under Section(s) 395 of the Indian Penal Code.
3. Mr. Subodh Kumar, learned counsel for the petitioner submits that the FIR was registered against unknown persons, the name of this petitioner surfaced in the statement of co-accused, Vikash Kumar, who recorded his statement before the police and the same has no evidentiary value and after the petitioner's arrest in the present matter the police could not have recovered the looted vehicle from the possession of this petitioner. It is further submitted that petitioner was not put on



test identification parade hence there is no any evidence against him to connect him to the alleged crime of dacoity. It is further submitted that the petitioner has been languishing in jail since 13.12.2023 without any evidence, though against him there are criminal antecedents of three cases but he is on bail in all the said cases and co-accused Vikash Kumar who revealed the name of this petitioner has been granted bail by this bench and some other co-accused persons have also been granted bail vide order dated 28.06.2024 passed in Cr. Misc. No. 23652 of 2024 with analogous cases.

4. Mr. Kumar Ranjit Ranjan, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Having regard to the above submissions and mainly considering petitioner's the plea that there is no incriminating evidence against him except the confessional statement of co-accused Vikash Kumar who recorded his statement before the police and the said plea has not been refuted by the learned APP and also coupled with the completion of investigating against this petitioner, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Bhagwanpur P.S. Case No. 252 of 2023 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of the  
Court concerned.

(Shailendra Singh, J)

Rajiv/-

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