

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39598 of 2024**

Arising Out of PS. Case No.-851 Year-2023 Thana- KHAGARIA District- Khagaria

Kanhaiya Kumar Son of Dharmendra Mahto @ Dharmendra Sahani R/O  
Vill.- Rakodih, P.S.- Mufassil, Dist.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      04-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Khagaria Mufassil P.S. Case no. 851 of 2023 registered under section 392 of the Indian Penal Code.

3. As per the prosecution case, the informant states that two accused persons on the motorcycle on the point of pistol robbed him of Rs.17,000/ in cash besides other articles as stated in the FIR.

4. It is submitted by learned counsel for the petitioner that the FIR was registered against two unknown accused persons. Referring to the order of the learned trial Court it is submitted that the name of the petitioner transpired in course of investigation on the confessional statement of



coaccused made before the police. No incriminating article has been recovered from the possession of the petitioner. He is in custody since 16.10.2023 and chargesheet has been submitted in the case. The cause of false implication is his antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the contents of the material that has transpired in course of investigation as is evident from the order of the learned trial Court, the petitioner being in custody since 16.10.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Khagaria Mufassil P.S. Case no. 851 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria.

**(Partha Sarthy, J)**

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