

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40253 of 2024

Arising Out of PS. Case No.-413 Year-2022 Thana- BIBHUTIPUR District- Samastipur

Rohit Kumar Son of Jaynarayan Singh R/O Village- Shivnathpur, P.S.-
Bibhutipur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-06-2024 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 IPC and subsequently cognizance has been taken under Sections 395 of 412 of the Indian Penal Code.

3. As per FIR, the allegation against four unknown miscreants is that they entered in the shop of the informant and on pistol point, committed loot of Rs. 15 kg silver, 30 grams golden ornament and cash of Rs. 20,000/-

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He is not named in F.I.R. rather his name has come on the basis of confessional statement



of co-accused Prince Kumar before the police which has got no evidentiary value in the eye of law. Nothing looted article has been recovered from the conscious possession of the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated several co-accused persons have already been granted bail by this Court vide order dated 08.05.2023 and 25.08.2023 in Cr. Misc. Nos. 6472 of 2023 and 11663 of 2023 respectively. Moreover, the petitioner is languishing in judicial custody since 13.10.2023.

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. The above named petitioner is directed to be released on bail in connection with Bibhutipur P.S. Case No. 413 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Rosera, Samastipur.

(Sunil Kumar Panwar, J)

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