

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41670 of 2024

Arising Out of PS. Case No.-420 Year-2019 Thana- KUDHNI District- Muzaffarpur

Md. Dilkash @ Ashif @ Md. Ashit S/O Md. Ataur Rahman R/O Village
Damodarpur, P.S. Kanti, Distt-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Nachiketa Jha, Advocate
For the State	:	Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seek bail in connection with Kudhni
(Kurhani, Kudhani) P.S. Case No. 420 of 2019 registered for the
offence punishable under Sections 392 and 328 of the Indian
Penal Code.

3. As per prosecution case, it is alleged that four
unknown persons stopped the pick up truck of the informant,
loaded with iron coil, dragged him out and forced him to sit in
one bolero vehicle, assaulted him and made him unconscious
and threw him in a ditch and looted the articles.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is nor named in the F.I.R.
and he has been made an accused in this case only on the basis



of confessional statement of co-accused Vishwajeet Kumar. Nothing has been recovered from the possession of the petitioner. It is further submitted that petitioner is in custody since 09.03.2024 but he has not been put on T.I.P. till date and charge-sheet has already been submitted.

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

6. Considering the rival submissions, period of custody and the fact that of the petitioner has transpired in this case only on the basis of confessional statement of co-accused person, the prayer for bail of petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, (West) Muzaffarpur, in connection with Kudhni (Kurhani, Kudhani) P.S. Case No. 420 of 2019.

(Prabhat Kumar Singh, J)

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