

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47896 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- BIDUPUR District- Vaishali

Hemant Kumar @ Hurdangi Son Of Nagendra Ray Village- Maruahha, Ps- Sakra, Dist- Muzaffarpur, P/A- Majhauri Ps- Bidupur, Dist- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-07-2024 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 394, 395, 412 of the Indian Penal Code.

3. As per FIR, three unknown miscreants came at the CSP center and looted away Rs. 2,620/- cash along, mobile phone, laptop, atm cards and other articles after creating terror and assaulted the informant who is an operator of that CSP center.

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. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. Neither any stolen articles have been recovered from the conscious possession of the petitioner nor he has been put on TI Parade as yet. Moreover, the petitioner has been remanded in this case from Bidupur P.S. case No. 144 of 2023 on 07.03.2023 and since then, he is languishing in judicial custody. Similarly situated co-accused, namely, Deepak Kumar has been granted bail vide order dated 01.02.2024, passed in Cr. Misc. No. 3627 of 2024 by this Court.

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 Bidupur P.S. Case No. 143 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge III, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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