

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60565 of 2024

Arising Out of PS. Case No.-313 Year-2022 Thana- BACHHWARA District- Begusarai

Saurabh Kumar @ Polu S/O Late Niraj Singh Resident of village- Vajitpur
Pirauli, P.S- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bachhwara P.S. Case no.
313 of 2022 registered under sections 392 and 397 of the Indian
Penal Code.

3. As per the prosecution case, the informant states
that four accused persons on a motorcycle on the point of pistol
looted the informant of his mobile phone and other articles as
described in the F.I.R.

4. Learned counsel for the petitioner submits that the
F.I.R was registered against unknown. Referring to the order of
the learned trial Court it is submitted that the petitioner was
falsely implicated in the case in course of investigation in the



confessional statement of the co-accused Nikesh Kumar @ Dhinda @ Chhotu @ Nikes Kumar @ Dinda who has himself been enlarged on bail vide order dated 10.5.2024 passed in Cr. Misc. no. 35312 of 2024. It is submitted that the prosecution is further relying on the confessional statement of the petitioner which is allegedly made before police, however not leading to any recovery. He is in custody since 17.5.2023 and the cause of his false implication is his antecedents. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the name of the petitioner transpiring in the confessional statement of co-accused Nikesh Kumar @ Dhinda @ Chhotu @ Nikes Kumar @ Dinda who has himself been enlarged on bail vide aforesaid order dated 10.5.2024, no incriminating article having been recovered from the petitioner's possession, his not having been put on T.I parade together with having remained in custody for more than 1 year 3 months since 17.5.2023, the petitioner is directed to be enlarged on bail in connection with Bachhwara P.S. Case no. 313 of 2022, 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, Begusarai.

(Partha Sarthy, J)

Harsh/-

U		T	
---	--	---	--

