

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66953 of 2024**

Arising Out of PS. Case No.-327 Year-2023 Thana- TURKAULIYA District- East
Champaran

Amit Kumar Son of Late Mohan Paswan Resident of village - Dhuniya Toli,
P.S.- Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Turkauliya P.S. Case No. 327 of 2023 instituted for the offences
under Section 392 of the Indian Penal Code.

3. As per prosecution case, three unknown miscreants,
on the gun point, snatched a bag from the Informant, containing
laptop HP Probook, cash Rs. 6590/- and other documents.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of the petitioner having criminal
antecedents. The petitioner is neither named in the F.I.R. nor has



been put on Test Identification Parade. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Pritam Paswan and Bikesh Kumar. The petitioner has no concern with the alleged occurrence or the co-accused persons. Except confession, there is nothing against the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has altogether five criminal antecedents and is languishing in judicial custody since 18.03.2024 without any rhymes or reason. Charge-sheet has been submitted against the petitioner under Section 392 of the I.P.C.

5. Learned counsel for the petitioner again submits that the co-accused namely Bikesh Kumar @ Vikesh Kumar who disclosed the name of the petitioner in his confessional statement has been granted bail by this Court vide order dated 30.04.2024 passed in Cr. Misc. No. 32430 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioner,
let the petitioner, abovenamed, be released on bail, on furnishing
bail bonds of Rs.10,000/- (Ten thousand) with two sureties of
the like amount each to the satisfaction of Court
below/concerned Court in connection with Turkauliya P.S.
Case No. 327 of 2023.

(Rudra Prakash Mishra, J)

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