

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62939 of 2024

Arising Out of PS. Case No.-561 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Avinash Kumar, aged about 21 years, Male, Son of Rambabu Singh, Resident
of Rajaura Ward No 04, P.S.- Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No. 395 of 2024 arising out of Muffasil Police
Station Case No. 561 of 2023 registered for the offence under
Sections 392, 397 and 411 of IPC.

3. As per the allegation in the FIR, it is a case of
snatching of Apache motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the conscious
possession of the petitioner. He further submits that the name of
the petitioner has been surfaced in this case during the course of



investigation only on the basis of confessional statement of co-accused Murari Kumar. He next submits that the FIR is against unknown and there is no any Test Identification Parade and only on the basis of confessional statement of co-accused Murari Kumar, petitioner has been made accused in this case. Petitioner is in custody since 16.12.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR and impugned order dated 11.07.2024, it appears that on the basis of written report of the informant Madhav Kumar FIR was registered against two unknown person and the name of the petitioner surfaced in this case only on the basis of confessional statement of co-accused Murari Kumar. Similarly situated co-accused persons namely Chandan Kumar has already been granted bail by this Court in Cr. Misc. No. 38351 of 2024 vide order dated 23.05.2024, respectively.

7. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 learned Additional Sessions Judge-V, Begusarai in connection with



Sessions Trial No. 395 of 2024 arising out of Muffasil P.S. Case
No. 561 of 2023, subject to the condition that petitioner shall
appear before the trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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