

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69558 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- CHHABILAPUR District- Nalanda

Satya Prakash Kumar @ Moni Baba, Son Of Raj Ballabh Prasad,
Residnet Of Village - Khirubigha, P.S. - Nagarnausa, District - Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Chhabilapur P.S. Case No. 20 of 2023 registered for the offence punishable under sections 395 of the Indian Penal Code and Charge-sheet has been submitted under Section 395, 412 of the Indian Penal Code.

3. As per prosecution case, 10-11 unknown miscreants came at the farmyard of the informant and after tying his legs and hands loaded rice paddy on pickup van and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is not named in the FIR. During course of investigation, the petitioner



was arrested and confessed his involvement in offence which has no evidentiary value. No looted article has been recovered from his conscious possession and no TI Parade has been conducted. He is languishing in judicial custody in this case since 22.02.2023. Moreover, similarly situated co-accused persons namely, Laxman Rajak and Sachin Kumar @ Ghanti have already been granted bail by a coordinate Bench of this Court vide order dated 4.9.2023 and 01.11.2023 passed in Cr. Misc. No. 57545 of 2023 and Cr. Misc. No. 64627 of 2023 respectively.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period 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 Chhabilapur P.S. Case No. 20 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 C.J.M., Nalanda at Biharsharif.

(Sunil Dutta Mishra, J)

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