

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71127 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- BARGAINIA District- Sitamarhi

Satyam Kumar son of Binod Kumar Singh @ Guddu Singh Village-
Amadwan, Ward no. 9, Ps- Bairgania, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv. Ms. Divya Bharti, Adv.
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP

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

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bairgania P.S. Case No. 143 of 2023 instituted for the offences
under Sections 386, 387 of the Indian Penal Code.

3. As per prosecution case, two unknown miscreants
came at the *Kirana* shop of the Informant and, on the point of
pistol, they tried to extort money from him but, on hearing the
sound of police vehicle, the miscreants fled away from there.

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.
The petitioner is not named in the F.I.R. and the same was



registered against two unknown persons. He further submits that the date of occurrence is 02.06.2023 but, the written report was filed by the Informant on 06.06.2023 i.e. after four days without any plausible explanation for such delay which creates doubt in the prosecution case. The petitioner has no concern with the alleged occurrence. Till date, no Test Identification Parade has been conducted in this case for the purpose of identification of the real culprit but, the petitioner has been implicated in this case only on the basis of suspicion and remanded him in the present case from Bairgania P.S. Case No. 152 of 2023. The police has also forcibly taken the confessional statement of the petitioner which has no evidentiary value in the eye of law. The petitioner has two criminal antecedents and is languishing in judicial custody since 24.07.2023 without any rhymes or reason.

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

6. 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 Bairgania P.S. Case
No. 143 of 2023.

(Rudra Prakash Mishra, J)

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