

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81574 of 2023

Arising Out of PS. Case No.-200 Year-2022 Thana- SAMASTIPUR District- Samastipur

MUKUL KUMAR @ SRIKANT RAY @ VICKY @ BHAGINA SON OF
ANIL RAY RESIDENT OF VILLAGE DHIGHI KALA, P.S.- HAJIPUR
SADAR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26 & 35 of Arms Act.

3. As per prosecution case, it is alleged that some miscreants have assaulted the guard of the IDBI Bank, Mohanpur with intention to commit robbery but fled away after making fire. When the informant reached there, a pistol was seized from place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name was transpired on



the basis of confessional statement of co-accused Ravikesh Kumar in Hajipur Town P.S. Case No. 633 of 2022. The confession before police is inadmissible in the eye of law. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 29.11.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody 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 Samastipur Town P.S. Case No. 200 of 2022 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., Samastipur.

(Sunil Kumar Panwar, J)

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