

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69759 of 2023**

Arising Out of PS. Case No.-244 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

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Aman Kumar Patel @ Aman @ Aman Kumar Son Of Manoj Kumar Patel
Village- Harkhua W.No-23, Ps- Gopalganj Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Tapeshwar Sharma

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second attempt for prayer of bail by the
petitioner as such, earlier, his prayer for bail was rejected vide
order dated 11.01.2023 passed in Cr. Misc. No. 34138 of 2022
by another co-ordinate Bench of this Court.

The petitioner seeks bail in this case in connection
with Dumariyaghat P.S. Case No. 244 of 2021 registered
under Section 392 of the Indian Penal Code.

As per prosecution case, the Pick-up van of the
informant was looted by some miscreants at gun point.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence. He



has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case during the course of investigation. Neither any looted article has been recovered from the possession of this petitioner nor he has been put on TI parade. Similarly situated other co-accused persons have already been granted bail by another co-ordinate Benches of this Court vide Annexure-4 and Annexure-4/1 of this petition. Moreover, the petitioner is languishing in judicial custody since 05.01.2022.

It is submitted by learned counsel for the petitioner that out of 10 charge sheeted prosecution witnesses, 05 witnesses have been examined till now, so there is no hope to conclude the trial in near future.

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 Dumariyaghat P.S. Case No. 244 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned 11th Additional Sessions Judge,
Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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