

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75356 of 2023

Arising Out of PS. Case No.-403 Year-2023 Thana- BIDUPUR District- Vaishali

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1. LALBABU KUMAR Son of Ashok Paswan Resident of Village - Dilawarpur, Gobardhan, P.S.- Bidupur, District - Vaishali.
 2. Rakesh Kumar @ Bhutwa Son of Ashok Paswan Resident of Village - Dilawarpur, Gobardhan, P.S.- Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with Bidupur P.S. Case No. 403 of 2023 registered for the offence under Sections 457, 380, 411 of the IPC.

3. As per prosecution case, it is alleged that some unknown miscreants committed theft of Rs. 1 lac cash and golden as well as silver ornaments worth of about 7 lac from house of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners are not named in the FIR. Their name came into light



on the basis of confessional statement of co-accused namely, Sanjay Kumar before the police which has got no evidentiary value in the eye of law. It is also submitted that nothing has been recovered from conscious possession of the petitioner no.2 and police have seized some articles which belongs to wife of petitioner no.1. It is further submitted that no TIP was conducted by the police for identification of the seized ornaments. They have got no criminal antecedent as stated in para-3 of the bail petition and they are languishing in judicial custody since 16.8.2023.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bidupur P.S. Case No. 403 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Hajipur at Vaishali.

(Sunil Kumar Panwar, J)

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