

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78928 of 2024

Arising Out of PS. Case No.-313 Year-2022 Thana- BACHHWARA District- Begusarai

Shivam Kumar @ Kari @ Karo S/O Late Niraj Singh R/O Village- Pidhauri,
P.S- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bachhwara P.S. Case no.313 of 2022 registered under sections 392 and 397 of the Indian Penal Code.

3. As per the prosecution case, the informant states that four accused persons on a motorcycle on the point of pistol looted the informant of his mobile phone and other articles as described in the FIR.

4. Learned counsel for the petitioner in reference to the order of the learned trial Court submits that the petitioner was falsely implicated in the case in course of investigation on the confessional statement of co-accused Nitesh Nayan, who has himself been enlarged on bail vide order dated 31.1.2024 passed in Cr. Misc. no.4387 of 2024. No incriminating article has been



recovered from the petitioner’s possession and the cause of false implication of the petitioner is his antecedents. The petitioner is in custody since 1.6.2024 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation against the petitioner, grant of bail to co-accused Nitesh Nayan on whose confessional statement the name of the petitioner transpired, the petitioner being in custody since 1.6.2024 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Bachhwara P.S. Case no.313 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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