

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83857 of 2023

Arising Out of PS. Case No.-634 Year-2022 Thana- BIDUPUR District- Vaishali

Rajesh Kumar @ Timal @ Dimple S/O Lalan Mahto R/O Village- Shekhpura,
P.S- Raja Pakar, Distt.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 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 section 394 of the Indian Penal Code and chargesheet has been submitted u/s 395, 397, 412, 120(B) of the Indian Penal Code.

3. As per prosecution case, four miscreants are said to have looted cash of Rs. 2,25,000/- from shop of the informant on point of pistol.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is not named in the FIR rather his name was dragged in this case on the basis of confessional statement of co-accused Navin Kumar who was arrested in Bidupur P.S. Case No. 7 of 2023. During



investigation, as alleged 4500/- looted cash was recovered from house of the petitioner but the said amount was not identified properly and the same belongs to his father. The petitioner has also not been put on TI parade. He has no concern with the other co-accused persons. It is further submitted that the petitioner is languishing in judicial custody since 19.4.2023. Moreover, similarly situated co-accused namely, Raushan Kumar has already been granted bail by this Court vide order dt. 18.12.2023 passed in Cr. Misc. No. 80578 of 2023.

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 him on bail. The above named petitioner is directed to be released on bail in connection with Bidupur P.S. Case No. 634 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., Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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