

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81440 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

Birbahadur Singh Son of Avadhesh Singh, Resident of Village -Narharpur
Police Station- Lakinabiganj, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Mahammadpur P.S. Case No.278 of 2022, registered for the
offences punishable under Section 395 of the Indian Penal Code.

3. As per prosecution case, some unknown miscreants
boarded with Maruti Swift vehicle overtook the Car of the
informant and on the point of pistol they have snatched his key
and fled away with the vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
He further submits that the name of petitioner has come in this
case by the confessional statement of the co-accused Chhotu
Manjhi and except the same there is no material against the
petitioner. He also submits that there is no recovery of looted
articles from the possession of petitioner. Learned counsel



submits that after lodging of present case, petitioner has been remanded in five criminal cases, however, he is on bail in all the cases. He further submits that similarly situated co-accused persons namely Vishal Kumar and Sharma Singh @ Samar Singh @ Shama Singh have been granted bail by the Co-ordinate Bench of this Court vide orders dated 20.12.2023 & 01.12.2023 passed in Cr. Misc. No.75729 of 2023 & Cr. Misc. No.76582 of 2023 respectively. He also submits that petitioner is in custody since 19.07.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Gopalganj in connection with Mahammadpur P.S. Case No.278 of 2022.

(Sunil Dutta Mishra, J)

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