

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81236 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- KUNDWACHAINPUR District- East
Champaran

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Ashutosh Kumar Singh Son Of Sanjay Kumar Singh R/O Village- Hasanpur
Bairiya, P.S.- Kundwa Chainpur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 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 Section 27 of Arms Act.

3. As per FIR, the informant and his father were returning to their house after closing shop, in the meantime, three persons on one motorcycle overtook them and started demanding bag from the informant and when the informant raised objection, one of them fired on the father of the informant due to which he sustained injury on his right thigh. Thereafter, accused persons pointed gun on the head of the



informant and snatched bag containing Rs. 45,000/- and register. Thereafter, they fled from there from motorcycle after snatching bag.

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 on the basis of confessional statement of co-accused persons, namely, Aman Kumar and Kesav Kumar and his self confession before the police which has got no evidentiary value in the eye of law. Nothing looted article has been recovered from the conscious possession of the petitioner. He has not been put on TI parade. Moreover, the petitioner is languishing in judicial custody since 15.11.2022.

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 Kundwa Chainpur P.S. Case No. 150 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., East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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