

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83067 of 2023

Arising Out of PS. Case No.-590 Year-2020 Thana- MADHAURAH District- Saran

VIVEK KUMAR @ CHUNU BABA S/O RAJ KISHORE SINGH R/O
VILLAGE- MARAURHAKHURD, VAISHYA TOLA, P.S- MARAURHA,
DISTT.- SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 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 392 of the Indian Penal Code.

3. As per prosecution case, allegation against the petitioner is to commit robbery, along with other co-accused persons and while committing so, took away motorcycle of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is not named in the FIR. He has falsely been implicated in this case on the basis of confessional statement of co-accused Amit Kumar



in Moarhowrah P.S. Case No. 36 of 2021. No any incriminating article has been recovered from conscious possession of the petitioner. Similarly situated co-accused namely, Amit Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dt. 26.11.2022 passed in Cr. Misc. No. 69110 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 203.2023.

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 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 Marhowra P.S. Case No. 590 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra.

(Sunil Kumar Panwar, J)

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