

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85291 of 2023

Arising Out of PS. Case No.-219 Year-2022 Thana- KISHANPUR District- Supaul

Nitish Kumar Son Of Pawan Yadav Resident Of Village- Latauna, P.S.-
Triveniganj, District- Supaul, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 392, 414, 411 and 120B of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

As per prosecution case, the allegation against three unknown miscreants is that they boarded on a black colored Apache motorcycle came and snatched the bag of the informant containing Rs. 2 lacs, two cheque books and other documents on the point of pistol and fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused Kishore Kumar which has no



evidentiary value in the eye of law. Neither the petitioner is named in the FIR nor he has been put on TIP up till now. Nothing incriminating or looted article has been recovered from his conscious possession. The other co-accused Sanjay Yadav @Sanjay Kuamr Yadav has already been granted bail by this Bench vide order dated 22.05.2023 passed in Cr. Misc. 24751 of 2023. The petitioner has got no criminal antecedent. It is further submitted that he has voluntarily surrendered on 02.08.2023 and since then he is languishing in judicial custody.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 Kishanpur P.S. Case No.219 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 CJM, Supaul.

(Sunil Kumar Panwar, J)

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