

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85358 of 2023

Arising Out of PS. Case No.-114 Year-2022 Thana- KALYANPUR District- Samastipur

Md. Haidar S/o- Md. Akawar Resident of Village- Bhutta Chowk, Gopalpur,
P.S.- kalyanpur, District- Samastipur. 848101.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Rajiv Nayan

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 of the Indian Penal Code.

As per prosecution case, while the informant was returning to Samastipur after delivering the goods of the company with cash of Rs. 49,996/-, he was surrounded by two unknown armed persons on bike and pointing the pistol at him they snatched the cash along with his mobile phone 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 Manish Kumar @ Bambam



in another case Kalyanpur P.S. case No. 269 of 2022 and one co-accused Monur Kumar in this case, which does not get evidentiary value in the eye of law. Neither the petitioner is named in the FIR nor he was put on TIP. Nothing has been recovered from his conscious possession. Moreover, he is languishing in judicial custody since 02.03.2023.

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 Kalyanpur P.S. Case No. 114 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 Chief Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

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