

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86102 of 2023

Arising Out of PS. Case No.-643 Year-2022 Thana- DHAKA District- East Champaran

Dipak Kumar S/O Rajkumar Singh R/O Village- Kharua, P.S- Kundwa
Chainpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
		Mr. Hemant Ray, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Dhaka P.S. Case No.643 of 2022 registered under Section 392
of the I.P.C.

3. As per prosecution case, it is alleged that three
miscreants, on a motorcycle, came to the shop of the informant
and took away Rs.4 lacs from counter of the shop as well as
from the bag of the informant on the point of pistol.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The petitioner is not named in the F.I.R. and his name has
surfaced in this case on the basis of confessional statement of



co-accused during investigation in which it is alleged that the petitioner had worked as liner. He further submits that nothing has been recovered from conscious possession of the petitioner. Petitioner was not seen on the spot. The petitioner has four criminal antecedents out of which three cases belong to the Excise Act and he is on bail in all cases. The petitioner is in custody since 17.08.2023 and the charge sheet has already been submitted. It is also submitted that other similarly situated co-accused persons, namely, Chandan Kumar, Shatrughna Kumar @ Shatrughna Yadav, Rupesh Kumar and Amit Kumar Singh @ Bittu Singh @ Amit Kumar have been granted bail by coordinate benches of this Court vide orders dated 26.04.2023, 24.08.2023, 18.08.2023 and 01.12.2023 passed in Cr.Misc.No.14050 of 2023, Cr.Misc.No.54272 of 2023, Cr.Misc. No.49913 of 2023 and Cr.Misc.No.76099 of 2023.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case as well as the submissions advanced on behalf of the parties, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sub-



Divisional Judicial Magistrate, Sikrahana at Dhaka, East
Champaran in connection with Dhaka P.S. Case No.643 of
2022.

(Sunil Dutta Mishra, J)

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