

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1197 of 2024

Arising Out of PS. Case No.-54 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

ANIS KUMAR, S/O HORIL BHAGAT, RESIDENT OF VILLAGE-
BASUDEV CHAPRA, P.S.- MINAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Binod Kumar no.3, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Siwaipatti P.S. Case no. 54 of 2019, registered under section 394 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he was on way on his motorcycle, three unknown accused persons forcibly made an attempt to loot his motorcycle and assaulted him with a knife. As the informant threw his keys in the nearby field, the accused persons were unable to take away his motorcycle. They took away Rs.7000/- in cash and other documents as stated in the FIR.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in course of



investigation on the confessional statement of co-accused Vikash Kumar. No incriminating article has been recovered from the petitioner's possession who is in custody since 4.9.2019. Co-accused Vikash Kumar has been enlarged on bail vide order dated 23.3.2021 passed in Cr. Misc. no. 443 of 2021.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the name of the petitioner transpiring in the statement of co-accused Vikash Kumar who has himself been enlarged on bail vide order dated 23.3.2021 (Annexure-P/2) and the petitioner having remained in custody for more than 4 years since 4.9.2019, the petitioner is directed to be enlarged on bail in connection with Siwaipatti P.S. Case no. 54 of 2019, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Muzaffarpur (East), District- Muzaffarpur.

(Partha Sarthy, J)

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