

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5991 of 2024

Arising Out of PS. Case No.-54 Year-2022 Thana- TAJPUR District- Samastipur

Abhishek Kumar Son Of Binod Sharma @ Vinod Sharma R/O Village-
Habibpur, P.S.- Baligaon, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 133 of 2023, arising out of Tajpur P.S. Case No. 54 of
2022 for the offences registered under Sections 398, 307 of the
Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, five miscreants
wearing mask on their face came at the shop of the informant
and demanded money. On the point of gun they compelled the
informant to open the locker, but there was nothing as informant
had already taken out the entire amount from the locker prior to
coming of miscreants. It is further alleged that on raising alarm
by the brother of the informant, the miscreants fled away.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case. Petitioner is not named in the F.I.R., however during course of investigation his named transpired in the confessional statement of co-accused Umesh Rai. Petitioner has two criminal antecedents. He is in custody since 11.04.2022. It is further submitted that similarly situated co-accused persons, namely, Sharvan Sahni @ Shravan Sahni and Arvind Sahni @ Arbind Sahni have already been granted by a Co-ordinate Bench of this Court, vide order dated 08.08.2023 passed in Cr. Misc. No. 48325 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with S.T. No. 133 of 2023, arising out of Tajpur P.S. Case No. 54 of 2022.

(Sunil Dutta Mishra, J)

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