

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11111 of 2025**

Arising Out of PS. Case No.-28 Year-2020 Thana- CHANPATIA District- West Champaran

Ayush Pandey @ Ayush Kumar Pandey S/O Pappu Pandey R/O Village-
Khardeur Mahna, Pandey Tola, Ward No. 2, P.S- Chanpatiya, Distt.- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Chanpatiya P.S Case No. 28/2020 registered for the offences
punishable under Sections 395 of the Indian Penal Code.

3. As per the prosecution case, six accused persons
has snatched motorcycle, one mobile phone and Rs. 10,000/-
from the informant when he was coming back from market.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner name has been figured from the
confessional statement of the co-accused namely Kundan
Kumar Pandey. He further submits that neither the petitioner has



been apprehended from the place of occurrence nor anything has been recovered from possession of Anu Kumari to which she had taken from the pocket of her brother Abhayas Singh and the same has been granted bail in Cr. Misc. No. 54128 of 2021. He further submits that neither any incriminating article has been recovered from the petitioner's possession nor he has been put on TI parade. It is also submitted that petitioner is in judicial custody since 28.06.2020 having eight criminal antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 28.01.2025, it appears that nothing has been recovered from the conscious possession of the petitioner and his name has been figured during the course of investigation by one of the co-accused and keeping in view that other co-accused has been granted bail by the co-ordinate Bench of this Court and considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in



connection with Chanpatiya P.S. Case No. 28 of 2020.

(Ramesh Chand Malviya, J)

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