

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88372 of 2024

Arising Out of PS. Case No.-180 Year-2023 Thana- VIDYAPATINAGAR District-
Samastipur

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Birbal Kumar Son of Sukhdeo Mahto Resident of Village - Alampur Simiri,
Ward No. 13, P.S. - Vidyapatinar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-03-2025 Heard Mr. Surya Narayan Roy, learned counsel for
the petitioner and Mr. Manoj Kumar, learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 392 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant
runs a C.S.P Centre at his house. On 09.11.2023, he has
withdrawn Rs. 3,07,000/- from State Bank of India,
Vidyapatinar Branch and was going towards CSP
Dumdumma as he reached near Railway Gate No. 9
Vidyapatinar at that time, one bike dashed him due to which
he fell down, a boy from the bike alighted took the bag and key
of his bike. When the informant raised alarm one of the boys



made firing and fled away towards Dalsingsarai. FIR was lodged against unknown miscreants.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner has surfaced during investigation. During investigation, this petitioner has given his confessional statement and in his confessional statement, he has confessed his guilt but from perusal of the dairy, it transpires that the cash was taken away by co-accused Deepak who has fled away with the cash. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of this petitioner. No TI parade has been conducted. Though, petitioner is having criminal antecedent of seven cases, he is on bail in four of the cases Moreover, he is languishing in judicial custody since 09.02.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Vidyapatnagar P.S. Case No. 180 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Dalsingsarai, Samastipur.

(Ashok Kumar Pandey, J)

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