

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1362 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- KALYANPUR District- East Champaran

Vrihaspat Kumar @ Golu Kumar, aged about 25 years (M), S/o Gajendra Patel, Resident of Village- Dulma, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Section 309(6) of the BNS, 2023.

3. As per prosecution case, the informant alleged that while coming home, two persons on motorcycle on the point of pistol, looted away the motorcycle, laptop, mobile phone, PAN Card, Aadhar Card, ATM Card and cash.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner is not named in the FIR and nothing incriminating article has been recovered from the possession of the petitioner. Petitioner is in custody since 11.09.2024. He next



submits that the petitioner has been dragged in this case on the basis of his own confessional statement recorded in Kalyanpur P.S. Case No. 264 of 2024 and thereafter, he was remanded in the present case as stated in para-8 of the petition and there is no any evidence or material to show the complicity in the alleged occurrence.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, case diary and impugned order dated 23.11.2024, it appears that petitioner is not named in the FIR and the petitioner has been dragged in this case only on the basis of confessional statement and he is in custody for more than six months, so I am inclined to grant bail to the petitioner.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 250 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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