

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.61986 of 2019**

Arising Out of PS. Case No.-43 Year-2019 Thana- RAJAPAKAR District- Vaishali

NAVNEET KUMAR, S/o Lal Babu Paswan, R/o Village- Khoksa Buzurg,  
P.S.- Desari, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rina Sinha, Adv.

For the Opposite Party/s : Ms. J. N. Thakur, Adv.

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH  
ORAL ORDER**

2      22-10-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since 05.07.2019 in a case registered for the offences punishable under Sections 356 and 379/34 of the Indian Penal Code.

The prosecution case is that the petitioner, being an employee of a financial company, was returning after making collection of the loan amount, but on 02.03.2019 at 1.30 P.M. at NH-103, three Apache motorcycle borne miscreants, overtook him, dragged from the vehicle and on the point of pistol, started assaulting him. It is also alleged that the accused persons snatched cash amount of Rs.64,100/-, a mobile phone and a bio-metric machine of the company from the informant. The petitioner's involvement surfaced in the present case when



he was arrested in connection with Bidupur P.S. Case No. 154 of 2019 registered for the offences punishable under Sections 25(1-B)a/26/35 of the Arms Act, wherein the petitioner confessed his involvement in the present case.

It is submitted by learned counsel for the petitioner that neither there is any recovery from the conscious physical possession of the petitioner nor the petitioner has been put on Test Identification Parade and the investigation has already been concluded. Moreover, co-accused, Jitendra Paswan, whose name also surfaced during investigation, has been granted bail by a co-ordinate Bench of this Court vide order dated 01.10.2019, passed in Criminal Miscellaneous No. 60881 of 2019. It is further submitted that apart from the present case, though the petitioner is accused in three other cases, but he has been granted bail in these cases. Though no statement to that effect has been made in the petition.

Learned APP for the State submits that the petitioner has confessed his guilt when he was arrested in connection with Bidupur P.S. Case No. 154 of 2019.

Considering the fact that there is no recovery from the conscious physical possession of the petitioner and the petitioner has never been put on Test Identification Parade, the



investigation being concluded and coupled with the fact that similarly situated accused person has been granted bail by a co-ordinate Bench of this Court, 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 CJM, Vaishali at Hajipur in connection with Raja Pakar P.S. Case No. 43 of 2019.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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