

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62439 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- SAKRA District- Muzaffarpur

Arvind Kumar, S/o Sri Chandeshwar Singh, R/o Village- Ituha, P.S.- Sakra,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Goswami, Adv. Mr. Pradhan Murli Manohar Prasad, Adv. Mr. Pawan Kumar Singh, Adv.
For the Opposite Party/s :		Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-10-2019 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 31.07.2019 in a case registered for the offence punishable under Section 394 of the IPC.

The prosecution case is that informant's Apache Motorcycle, a Digital Camera, Pan Card, Aadhar Card, Voter ID Card, an ATM card, Two mobile phones were robbed by two unknown persons, leading to registration of FIR against unknown persons. The name of the petitioner surfaced during investigation.

It is submitted by learned counsel for the petitioner that that admittedly no recovery has been made from the possession of the petitioner and the petitioner has not been put on the Test



Identification Parade. It is further submitted that the petitioner was not arrested from the spot. A statement has been made in paragraph no.3 of the petition that the petitioner is made accused in one other case registered under the Bihar Prohibition and Excise Act, in which he is on bail. It is further submitted that similarly situated co-accused, Rajan Kumar by a Co-ordinate Bench of this Court, vide order dated 24.05.2018, passed in Cr. Misc. No. 32251 of 2018.

Learned APP submits that the name of the petitioner sprang during investigation.

Considering the fact that no recovery has been made from the petitioner and similarly situated co-accused has been granted bail, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Judge-13-cum-A.C.J.M., Muzaffarpur in connection with Sakra P.S. Case No. 76 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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