

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12436 of 2020

Arising Out of PS. Case No.-26 Year-2019 Thana- KATORIYA District- Banka

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BISHWANATH KUMAR SINGH @ VISHWANATH KUMAR SINGH @
BISHWANATH SINGH Son of Navin Singh Resident of Village- Barakola,
P.O.- Pahridih, P.S.- Sarama, District- Deoghar (Jharkhand).

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Pandey, Advocate.
For the State : Mr. Upendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 09-11-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Katoriya
P.S. Case No.26 of 2019 registered under Section 392 of the
Indian Penal Code.

The accusation is that on 27.02.2019, the informant
Anupam Kumar Sinha along with Tempo driver Md. Shahnawaz
Ansari moved for supply of the goods at Katoriya, Kathoun,
Radhanagar. In course of returning from there boarding on the
tempo, at Sihuliya turning, two unknown miscreants covering
their faces stopped the tempo by overtaking the tempo through
motorcycle and started to cause assault to the informant and the
driver of the tempo and snatched the cash bag and mobile of the



informant. In the bag, there was cash Rs.35000/- to 40,000/-, and Rs.7000/-, which had been collected in course of supply of the goods.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. In course of investigation, the location of the petitioner was traced out on the basis of using of the robbed mobile using the SIM in the same set of the mobile and the petitioner was apprehended on 22.12.2019. In fact, as the petitioner had no Android mobile, he asked his brother-in-law Suraj Singh to give the Android mobile, which was given to the petitioner by him and, thereafter, the petitioner started using the aforesaid mobile by fitting his own SIM, which has come in the confessional statement of the petitioner, as detailed in paragraph-101 of the case diary. The petitioner is not involved in this case in any manner but due to using of the robbed mobile, he has been apprehended in this case. The petitioner, who has no criminal antecedent, is in custody since 22.12.2019 and, on investigation, the police has already submitted the charge-sheet against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with Katoriya P.S. Case No.26 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

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