

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16324 of 2020

Arising Out of PS. Case No.-429 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

KALYAN JHA S/o Anil Kumar Jha Resident of Village-Shahi Meenapur, P.S-
Aurai, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-07-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Runnisaidpur P.S. Case No.429 of 2019 registered under Section 392 of the Indian Penal Code.

The informant alleged that while he was going to the house of his sister situated in village Manik Chowk, four persons intercepted him in between village Garha Manik Chowk near graveyard. They were armed with firearms and they looted his motorcycle, mobile and cash of Rs.8,000/-.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Four persons were apprehended with arms and ammunition for which Runnisaidpur P.S. Case No.430 of 2019 was registered and it is alleged that the petitioner and others were apprehended while fleeing away



after committing robbery of the motorcycle and other belongings of the informant but no looted article was recovered from the possession of the petitioner. One Mukul Kumar Mishra is said to have confessed his guilt and on the basis of which the looted motorcycle was recovered from the husk house of Mahesh Raut situated in front of the house of Chandrashekhar Jha, the maternal grandfather of co-accused Dheeraj Jha. It is submitted that if the petitioner and other accused persons were arrested immediately after committing robbery, the robbed articles should have been recovered from the possession of the petitioner and any other accused persons who were apprehended with arms but the looted motorcycle was recovered from the husk of Mahesh Raut. Nobody has seen Dheeraj Jha hiding the motorcycle in the husk-heap of Mahesh Raut. Dheeraj Jha has already been enlarged on bail vide order passed in Cr. Misc. No.20631 of 2020. The case of the petitioner stands on better footing. Petitioner is in custody since 04.11.2019.

Learned A.P.P. did not dispute the fact.

Taking into consideration the fact that save and except the confession of Mukul Kumar Mishra, there appears no tangible material against the petitioner and the petitioner has not been put on T.I.P., let the petitioner, above named, 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No.429 of 2019.

(Prabhat Kumar Jha, J)

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