

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18415 of 2020**

Arising Out of PS. Case No.-140 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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MANISH @ VIKASH RAI S/o Rajendra Rai @ Rajendra Ray Resident of
Village- Ram Nagar, P.S.- Sakra, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 06-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ashok, Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Muffasil P.S. Case No. 140 of 2019 for the offence punishable under Section 392 of the Indian Penal Code.

The allegation is that while the informant was going to his in-laws place, on the way the accused persons had intercepted his car and had decamped with his car.

The learned counsel for the petitioner has submitted that



the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 13.12.2019. It is further submitted that neither any recovery has been made from the petitioner nor any Test Identification Parade has been held so as to connect the petitioner with the alleged crime. It is also submitted that similarly situated co-accused person namely Raja Rajak has already been granted the privilege of bail by a coordinate Bench of this Court vide order dated 02.06.2020 passed in Criminal Misc. 16858 of 2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court apart from the fact that neither any recovery has been made from the petitioner nor Test Identification Parade has been held so as to connect the petitioner with the alleged crime, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 140 of 2019.

(Mohit Kumar Shah, J)

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