

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18314 of 2020**

Arising Out of PS. Case No.-18 Year-2020 Thana- MINAPUR District- Muzaffarpur

ROHIT KUMAR Son of Rakesh Kumar Resident of Village - Deogan,
Gharbhara, P.S.- Bochaha, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sanjay Parasmani
For the Opposite Party/s :	Mr.Ram Priya Sharan Singh
	Mr. Ashok Kumar, APP

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

2 04-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mr. Ashok Kumar, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Minapur P.S. Case No. 18 of 2020, registered for the offence punishable under Sections 395 of the Indian Penal Code.

The case of the prosecution in brief is that while the informant, who is a medical representative, was returning from Sitamarhi on his motorcycle and had reached near Makshudpur bridge, 8-9 unknown miscreants had overtaken his motorcycle



and snatched his motorcycle.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 24.1.2020. It is further submitted that the petitioner is not named in the FIR, no Test Identification Parade has been held so as to connect the petitioner with the alleged crime and moreover, no recovery of the stolen motorcycle has been made from the possession of the petitioner.

Per contra, the learned APP 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 fact that neither any recovery of the stolen motorcycle has been made from the petitioner nor any Test Identification Parade has been conducted 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 above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each



to the satisfaction of learned Chief Judicial Magistrate,
Muzaffarpur in connection with Minapur P.S. Case No. 18 of
2020.

(Mohit Kumar Shah, J)

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