

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26063 of 2020

Arising Out of PS. Case No.-89 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SUMAN KUMAR, aged about 22 years (Male), S/o Shyam Singh, Resident
of Village-Malpur Pilpariya, P.S.-Pilpriya, District-Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ajay Kumar Sinha, Advocate.
For the Opposite Party : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Section 394 of the I.P.C.

The prosecution story, in brief, is that the informant
Chandan Kumar was returning his house from D.T.D.C. Courier



by his Motorcycle Bajaj CT-100 bearing No. BR-09Z-7715 on 19.02.2019 at about 7.45 P.M. while he reached at Gupta Bandah, Ramdiri West of Hanumarn Mandir, four boys aged about 20-22 years, armed with Danda asked him to stop the vehicle. As soon as, he stopped his Motorcycle, they assaulted him and took his Motorcycle and Mobile of Samsung Company No. 7547012613 and went away from there by riding on his Motorcycle.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 27.06.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has transpired in the present case on the basis of confession of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. No T.I. Parade has been conducted to ascertain the participation of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Begusarai, in connection with Begusarai Mufassil P.S. Case No. 89/19.

(Sudhir Singh, J)

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