

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21356 of 2020

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1. JITENDRA CHOUDHARY (male) aged about 38 years, S/o- Sri. Chaitu Choudhary, R/o village- Unta Madarpur, P.S.- Nagar, District- Jehanabad

... .. Petitioner

Versus

1. The State of Bihar

... .. Opposite Party

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Appearance

For the Petitioner/s	:	Mr. Deepak Kumar, Advocate
	:	Mr. Pankjesh Sharma
For the Opposite Party/s	:	Mr. Sahin Begum, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-08-2020 Heard Mr. Deepak Kumar, learned counsel appearing on behalf of the petitioner and Mrs. Sahin Begum, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Jehanabad P.S. Case No. 43 of 2019, registered for the offences punishable under Sections 394, 302 and 34 of the Indian Penal Code whereas the petitioner has been charge sheeted under Sections 379 and 411 of the Indian Penal Code.

It is the case of the prosecution that the informant had received an information that his nephew had met with an accident. When he reached the spot after receiving the information, he was told by the local people that an unknown criminal was attempting to snatch the mobile phone and the handbag of the victim and was fleeing. The victim was



travelling in a train and in that course, he got down from the train, whereafter, he met with the accident.

Learned counsel for the petitioner has submitted that there is no evidence to support case of the prosecution against the petitioner of commission of offence punishable under Section 302 of the I.P.C. He has further submitted that the police have already submitted charge sheet on 22.02.2020 against the petitioner for the offence punishable under Section 379 read with Section 411 of the I.P.C. and not for the offence punishable under Section 302 of the I.P.C. The petitioner is in custody since 26.11.2019.

Considering the fact that charge sheet has been submitted under Section 379/411 of the I.P.C. and the petitioner is in custody since 26.11.2019, this application is allowed.

Let the petitioner, above named, 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 the learned A.C.J.M., Railway, Gaya in connection with Jehanabad P.S. Case No. 43 of 2019.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

Since there is a lockdown, the Court has considered it



appropriate to adopt following procedure for communication of the present order:-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social-distancing.

(Chakradhari Sharan Singh, J)

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