

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21748 of 2020**

Arising Out of PS. Case No.-119 Year-2019 Thana- MEHANDIA District- Jehanabad

MAKARDHWAJ RAJBANSHI Son of Chandradeo Rajbanshi Resident of
village - Chouri, P.S.- Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar

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

2 08-07-2020

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.

Heard the learned counsel for the petitioner the learned APP for the State.

The petitioners seek regular bail in connection with Mahendia PS case no. 119 of 2019 instituted for the offences punishable under Sections 395, 397 of Indian Penal Code.

The allegation is regarding unknown miscreants having intercepted the car of the informant and after assaulting the informant and other inmates of the car, the said unknown miscreants had snatched the purse of the informant and one another containing a sum of Rs. 4,000/- and a sum of



Rs. 10,000/- respectively, whereafter they fled away. It is further alleged that the bus driver who was present at the place of occurrence along with his bus and the driver of another car had also disclosed that the said miscreants had also looted them.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 10.01.2020. It is further submitted that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any recovery has been made as far as the looted cash amount is concerned. Lastly, it is submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 05.06.2020, passed in Cr. Misc. no. 15181 of 2020.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the fact that no test identification parade has been held so as to connect the petitioner with the alleged crime and moreover, similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court, apart from the fact that the



petitioner is having a clean antecedent, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, Jehanabad in connection with Mahendia PS case no. 119 of 2019.

(Mohit Kumar Shah, J)

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