

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22123 of 2020

Arising Out of PS. Case No.-177 Year-2020 Thana- HAJIPUR District- Vaishali

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UMESH KUMAR RAI @ MUTAN Son of Sri Bhola Rai Resident of Village
- Chaudhary Mubarak Ali Gudri Bzazr, P.S.- Town (Hajipur), Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr. Pandey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-09-2020 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 and Sri Pandey, the learned APP for the State.

The petitioner seeks regular bail in connection with Town PS case no. 177 of 2020 instituted for the offences punishable under Sections 392 of Indian Penal Code and 27 of Arms Act.

The allegation is regarding unknown miscreants having snatched a bag containing money on gun point from the informant and having fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and though, he is an accused in two cases but he is on bail in the said two cases. It is further submitted that the petitioner is



languishing in custody since 04.06.2020 and infact, he is a non-FIR named accused persons. Lastly, it is submitted that neither test identification parade has been held so as to connect the petitioner with the alleged crime nor any recovery of the stolen money has been made from him, hence the petitioner has been falsely implicated in the present case.

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 parties and taking into account the fact that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any recovery of stolen money has been made from the petitioner, the abovenamed petitioner is directed to be released on 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, Vaishali in connection with Town PS case no. 177 of 2020.

(Mohit Kumar Shah, J)

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