

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26523 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- BUXAR District- Buxar

Amrendra Kushwaha, Aged about 21 years, Male, Son of Ashok Kumar Singh, Resident of Village- Kukurha, P.S. Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 05-12-2020 Heard Mr. Santosh Kumar, learned counsel for the petitioner and Mr. Surendra Kumar, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Buxar (Town) P.S. Case No. 93 of 2020 registered for the offence under Section 392 of the I.P.C.

The allegation as per the First Information Report is that the informant, who is the proprietor of M/s Yogendra Nath Indane Gas Agency, Buxar on the date of occurrence proceeded from his Office along with Rs. 4 lakh in a bag towards his residence and dropped his staff on the By-Pass Main Road and proceeded forward thereafter he was intercepted by three accused persons riding on a motorcycle and on the point of pistol entire amount of Rs. 4 lakh was snatched by the accused persons on the gun point.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and his name transpired on the basis of confessional statement of the co-



accused namely, Dinkal @ Abhishek Kumar, who confessed that the co-accused along with the petitioner and others looted the cash and on the basis of that statement of the co-accused the looted cash was recovered and the car purchased by means of looted cash has also been recovered along with a mobile phone looted in another incident. Learned counsel further submits that no recovery has been made from the possession of the petitioner. Learned counsel for the petitioner further submits that similarly situated co-accused persons have been granted bail by this court in Cr. Misc. No. 21252 of 2020, Cr. Misc. No. 27447 of 2020 & Cr. Misc. 25163 of 2020.

On the other hand, learned counsel for the State referring to the case diary submits that on the basis of confessional statement of the co-accused the looted amount and the car purchased from the same was recovered from the co-accused and a sum of Rs. 40,000/- was also recovered from the room of the co-accused / Anish Kumar @ Anish Patel and the petitioner has got criminal antecedent also having a case registered under Section 392 of the I.P.C.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, I am inclined to grant regular bail to the petitioner **upon**



completion of one year in custody.

Accordingly, let the petitioner, above named, be released on regular bail **upon completion of one year in custody** on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar / court concerned in connection with Buxar (Town) P.S. Case No. 93 of 2020 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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