

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27486 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- BHAGWANPUR District- Vaishali

SHEKHAR RAI S/o Maheshwar Rai Resident of Village-Lodipur, P.S.-
Goraul, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-11-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner and
Shri Kalyan Shankar, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with
Bhagwanpur P.S. Case No. 216 of 2019 for the offence
punishable under Section 392 of the Indian Penal Code.

The case of the prosecution in brief is that the
motorcycle, voter ID, Aadhar Card, PAN card and some other
documents including a sum of **Rs.13,000/-** were looted
from the possession of the informant on pistol point by three
unknown miscreants.

The learned counsel for the petitioner has



submitted that the petitioner is innocent and has been falsely implicated in the present case. The petitioner is stated to have been remanded in the present case on 13.12.2019 and since then he is in custody. It is further submitted that neither any recovery of looted articles has been made nor T.I. Parade has been held so as to connect the petitioner with the alleged crime. 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 4.6.2020 passed in Cr. Misc. No. 18176 of 2020.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

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 parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court, apart from the fact that neither any recovery of looted article has been made from the possession of the petitioner nor Test Identification Parade has been held so as to connect the petitioner with the alleged crime, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge X,



Vaishali at Hajipur in connection with Bhagwanpur P.S. Case
No. 216 of 2019.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

