

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27702 of 2020

Arising Out of PS. Case No.-309 Year-2019 Thana- BARAUNI District- Begusarai

RAHUL KUMAR Son of Sri Bullan Singh Resident of Village- Pokharia,
Ward No.39, P.S.- Begusarai Town, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.

For the Opposite Party/s : Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-10-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Barauni FCI P.S. Case No. 309 of 2019 registered under section 392 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that three named accused persons, namely, Prince Kumar, Chunmun Singh and Sachin Kumar looted his motorcycle as also other articles forcefully as mentioned therein and fled away.

It is submitted by learned counsel for the petitioner that from the FIR, it would be evident that the informant has categorically named the three accused persons, also giving their



parentage. It is submitted that the informant has not added about the involvement of any fourth in the occurrence. Thus, it is stated that the petitioner not having been named in the FIR, has been falsely implicated at the instance of the police, on showing some recovery of incriminating article at the instance of the alleged confession of the petitioner. No such recovery has taken place. The petitioner is in custody since 10.12.2019. It is finally submitted that one of the FIR named accused, namely, Sachin Kumar has been enlarged on bail by this Court vide order dated 2.6.2020 passed in Cr. Misc. no. 8706 of 2020.

The application for bail is opposed by learned APP for the State who referring to the order of the learned Court below, submits that at the instance of the petitioner recovery of some articles have been made and the petitioner has criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the contents of the FIR together with the grant of bail to the FIR named accused person, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Barauni FCI P.S. Case No. 309 of 2019 (G.R no. 2626/2019) on furnishing bail bond of Rs.10,000/ (Rupees ten thousand only)



with two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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