

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25207 of 2020

Arising Out of PS. Case No.-221 Year-2020 Thana- KOTWALI District- Patna

BIKRANT KUMAR @ MONU S/o Shri Viresh Chandra Chaurasia Resident
of Bakarganj, Bari Path, P.S.-Pirbahor, District-Patna. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar
For the Opposite Party/s : Mr. Ram Sumiran Roy, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-10-2020 Heard Mr. Ritesh Kumar, learned counsel appearing on behalf of the petitioner and Mr. Ram Sumiran Roy, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Kotwali P.S. Case No.221 of 2020, registered for the offence punishable under Sections 399, 400, 402, 414 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act.

A Sub Inspector of Police posted in Kotwali P.S. is the informant. According to him, on the alleged date of occurrence, i.e., 08.05.2020, he had proceeded in connection with investigation of Kotwali P.S. Case No. 711 of 2019. It has further been mentioned that in that course, he received a secret information about assembly of some miscreants near Miller School for committing robbery. He rushed there and arrested four persons. Those four persons are said to have disclosed to



the police that petitioner and two others had managed to flee away, who were also there along with them at that point of time.

Learned counsel appearing on behalf of the petitioner has submitted that he has been falsely implicated in the present case as he happens to be the landlord of the shop run in the name of Shree Laxmi Jeweler's and in connection with loot of Rs. Three lac from the staff of the said Shree Laxmi Jeweler's, Kotwarli P.S. Case No. 771 of 2019 has been registered. The petitioner's false implication is because of some landlord-tenant dispute in respect of the shop in question, which has now been vacated.

Considering the averment made in the application and the fact that the petitioner's name has surfaced only on the basis of statement made by other co-accused persons and that there is no other incriminating material against the petitioner, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Patna, in Kotwali P.S. Case No.221 of 2020.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two



months.

Since COVID-19 Pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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