

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28810 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- PIRO District- Bhojpur

WAKIL KUMAR @ VAKIL KUMAR S/o Dhariman Singh @ Dharichan
Singh Resident of Village- Rajapur, P.S.- Piro, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-11-2020 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 appearing for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Piro P.S. Case No. 74 of 2020 for the offence punishable under Section 392 of the Indian Penal Code.

The case of the prosecution in brief is that while the informant was returning to home from his shop on his bike on 16.03.2020 at about 5:30 P.M. with gold and silver ornaments and cash totaling to a sum of Rs. 20,000/- which were kept in the dickey of the bike, unknown miscreants had come from



opposite side and had dashed the bike of the informant whereafter they had snatched the motorcycle of the informant on pistol point and had then fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 14.05.2020. It is further submitted that the petitioner is not named in the FIR and moreover till the filing of the present case he was not having any criminal antecedent but thereafter he has been also made an accused in one other case. Lastly, it is submitted that neither any recovery 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 occurrence.

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 petitioner and taking into account the fact that neither any looted articles have been recovered 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 bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-Vth, Bhojpur at Ara in connection with Piro P.S. Case No. 74 of 2020.

(Mohit Kumar Shah, J)

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