

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25753 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- BAKHTIYARPUR District- Patna

RAHUL KUMAR S/o Shiv Ji Singh Resident of Village-Raghopur, P.S.-
Jurawanpur, District-Vaishali at Hajipur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-11-2020 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 Bakhtiyarpur P.S case no. 52/2019 registered under section 395 of the Indian Penal Code.

As per allegation in the FIR, six persons travelling in a black colored maruti car overtook the trailer of the informant and on the point of arms forced the informant out of the trailer and took away the trailer loaded with iron rod.

It is submitted by learned counsel for the petitioner that the FIR was registered against six unknown persons. The name of the petitioner transpired in course of investigation on the confessional statement of the co-accused Prakash Kumar who it was alleged was a member of a gang and was involved in



the loot. It is submitted that no incriminating article has been recovered from the possession of the petitioner. No TI parade has been conducted and the petitioner is in custody since 27.1.2020. It is further submitted that other co-accused have also been enlarged on bail.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, no recovery of any incriminating article having taken place, the petitioner not having been put on TI parade and his being in custody since 27.1.2020, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bakhtiyarpur P.S case no. 52/2019 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 Additional Chief Judicial Magistrate, Barh.

(Partha Sarthy, J)

Prakash/-

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