

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28883 of 2020

Arising Out of PS. Case No.-252 Year-2020 Thana- BAGHA District- West Champaran

SHAMU RAM @ SHYAM RAM S/o Nagendra Ram Resident of Village-
Chautarwa Domparaon, P.S.-Bagaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-11-2020 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 Ms. Anita Kumari Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Bagaha (Bhairoganj) P.S. Case No. 252 of 2020, registered for the offence punishable under Section 394 of the Indian Penal Code.

The allegation is regarding four miscreants



having intercepted the informant while he was going to Ramnagar for treatment of his sister on the alleged date, time and place of occurrence, whereafter they had assaulted the informant and snatched a sum of Rs. 900/- and a mobile phone. It is also alleged that the said miscreants had robbed the sister of the informant and had taken away her gold mangalsutra and a sum of Rs. 3000/- as also a mobile phone.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 28.04.2020. It is further submitted that no Test Identification Parade has taken place so as to connect the petitioner with the alleged crime.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the leaned counsel for the petitioner and taking



into account the fact that no Test Identification Parade has been held so as to connect the petitioner with the alleged crime and moreover, the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Bagaha, West Champaran in connection with Bagaha (Bhairoganj) P.S. Case No. 252 of 2020.

(Mohit Kumar Shah, J)

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