

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28771 of 2020

Arising Out of PS. Case No.-10 Year-2019 Thana- PIRO District- Bhojpur

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Brajesh Kumar @ Funnu Kumar S/o Baleshwar Singh Resident of Village-
Rajmaldih, P.S.- Sikrhta, Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 01-12-2020 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 Piro P.S. Case No. 10 of 2019, registered for
the offence punishable under Section 392 of the
Indian Penal Code, but later on, charge-sheet was
submitted under Sections 395, 412, 120(B) of the
Indian Penal Code.

The informant is stated to have been
intercepted by four accused persons, travelling on
two motorcycles, whereafter they had snatched his
mobile phone and had robbed the tractor and its



trailer from him.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted by the learned counsel for the petitioner that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any recovery of the looted articles has been made from the petitioner herein. It is further submitted that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 05.03.2020 passed in Criminal Miscellaneous No. 76934 of 2019.

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 learned counsel for the petitioner and taking into account the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail, as also considering the



fact that no 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 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-V, Bhojpur at Ara in connection with Piro P.S. Case No. 10 of 2019.

(Mohit Kumar Shah, J)

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