

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30326 of 2020

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

JAYPRAKASH RAM S/o Birendra 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

For the Opposite Party/s : Mr. Someshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-11-2020 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 Shri Someshwar Deyal, the learned A.P.P. appearing for the State.

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

The allegation is regarding the informant being intercepted by four miscreants on the alleged date and time of occurrence, when he was going to Ramnagar for treatment of his sister, whereafter the said miscreants had assaulted him and



snatched a sum of Rs. 900/- as also his mobile phone. It is further alleged that the said miscreants had also snatched gold earring, a sum of Rs. 3000/- and a mobile phone from the sister of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 28.04.2020. It is further submitted that neither any recovery has been made from the petitioner nor he is named in the F.I.R. nor any Test Identification Parade has been held so as to connect the petitioner with the alleged offence. Lastly, it is submitted that similarly situated co-accused person has already been granted bail by order dated 12.11.2020 passed in Cr. Misc. No. 28883 of 2020.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the fact that no T.I. Parade has been held so as to connect the petitioner with the



alleged crime as also considering the fact that similarly situated co-accused person has already been granted bail, 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 regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bagaha, West Champaran in connection with Bagaha (Bhairoganj) P.S. Case No. 252 of 2020.

(Mohit Kumar Shah, J)

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