

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29705 of 2020

Arising Out of PS. Case No.-603 Year-2019 Thana- BUXAR District- Buxar

VISHAL SRIVASTAVA, (Male), age about 24 years, Son of Luxman Lal,
Resident of Village- Ramdiha, P.S.- Buxar (M), District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nil Kamal, Advocate.
For the Opposite Party : Mrs. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Section 392 of the I.P.C.

The prosecution story, in brief, is that unknown
miscreants having committed loot of ornaments worth Rs.
30,00,000/- from the shop of the informant.



It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 03.06.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come in the present case on basis of confessional statement of co-accused, namely, Dhiraj Kumar. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade to ascertain his participation in the alleged occurrence. The informant has retracted from his earlier statement made in the F.I.R., annexed as Annexure-2 to the present application. Other co-accused persons have been granted bail by another Co-ordinate Benches of this Court vide Cr. Misc. No. 79267 of 2019 under order dated 13.01.2020 and Cr. Misc. No. 65601 of 2019 under order dated 04.11.2019, annexed as Annexures-3 series to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in connection with Buxar (T) P.S. Case No. 603 of 2019.

(Sudhir Singh, J)

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