

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30304 of 2020

Arising Out of PS. Case No.-911 Year-2019 Thana- LAKHISARAI District- Lakhisarai

MD. ASLAM ALI Son of - Chamak Lal Baitha @ Chamklal Baitha Resident
of Village - Kulhariya, P.S. - Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. 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 the learned APP for the State.

The petitioner seeks regular bail in connection with Lakhisarai P.S. Case No. 911 of 2019, registered for the offence punishable under Section 395 of the Indian Penal Code.

The allegation is regarding five unknown miscreants, who were travelling in a four wheeler



vehicle, having overtaken the truck of the informant, whereafter they had made the truck to stop and then, they had overpowered the informant and snatched a sum of Rs. 4200/- from him as also had taken away his mobile phone and had then blindfold the informant and tied his hands and legs and had then taken the truck to a field near the river, whereupon they had fled away.

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 13.06.2020. It is further submitted that the FIR is against unknown miscreants and neither any recovery has been made from the petitioner nor any Test Identification Parade has been held 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 learned 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 Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 911 of 2019.

(Mohit Kumar Shah, J)

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