

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29902 of 2020

Arising Out of PS. Case No.-279 Year-2019 Thana- BAHADURPUR District- Darbhanga

BIRENDRA KUMAR SINGH @ BIR SINGH Son of Late Brij Mohan Singh
Resident of Village- Ladaura, Police Station- Kalyanpur, District- Samastipur,
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar

For the Opposite Party/s : Mr. Umesh Chandra Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-11-2020 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
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Section 392
of the Indian Penal Code.

Allegedly, the informant along with his co-employee was going
to the bank for deposit the money, in the way, the informant having
heard the horn of a motorcycle, slowed his motorcycle. It is further
alleged that the unknown miscreants boarded on the said motorcycle,
threatened the informant on the point of country-made pistol and
snatched away the bag of money and fled away.

It has been submitted on behalf of the petitioner that there is no
allegation of tampering of witnesses alleged against the petitioner.



The petitioner is in custody since 15-05-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is not named in the FIR. His name transpired in this case on the basis of confessional statement of one Bittu Kumar. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on test identification parade to ascertain his participation on the alleged occurrence. The other co-accused with similar allegation have been granted bail vide Annexures-3 & 4 to the present application.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 279 of 2019.

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(Sudhir Singh, J)

