

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32525 of 2020

Arising Out of PS. Case No.-134 Year-2017 Thana- PHULWARIA District- Begusarai

RAHUL KUMAR @ SHANKAR @ FOTER (Male), aged about 24 years,
Son of Late Sudhir Singh, Resident of Village - Malti, P.S.- Phulwaria, Distt.-
Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vinod Gautam, Advocate.

For the Opposite Party : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-12-2020 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.

A supplementary affidavit has been filed on behalf of
the petitioner. The same may be kept on the record.

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 on 03.11.2017 in the night at 10.30 P.M., while the informant was going to his sister's house on his friend's Motorcycle, namely Rohit Raj, on the way, two miscreants surrounded him and on the point of pistol, snatched his Motorcycle and fled away.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 07.12.2019. 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 transpired in the present case on the basis of confessional statement made by co-accused Rohit Kumar @ Lolu. Neither the petitioner has been put on T.I. Parade to ascertain his participation in the alleged occurrence nor there is recovery of any looted article from possession of the petitioner.

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 aforesaid 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 Judicial Magistrate, Begusarai, in connection with
Phulwaria P.S. Case No. 134/2017, G.R. No. 4153/2017.

(Sudhir Singh, J)

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