

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32494 of 2020

Arising Out of PS. Case No.-225 Year-2020 Thana- VAISHALI District- Vaishali

SHUBHAM JOSHI @ SUBHAM JOSHI, age about 24 years, Male, S/o Shiv Kumar Singh, R/o village- Bedauliya, P.S.- Vaishali (Belsar O.P.), District- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Pratima Kumari, Advocate.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, 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.

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 Sections 395, 414 and 412 of the I.P.C.

The prosecution story, in brief, is that one loaded *Pick-up Van* driven by Sanjeet Kumar, robbed by miscreants



from *Vaishali-Lalganj State Highway* on 10.07.2020 at 8.30 PM. The said Pick-up Van was loaded with '*Royal Touch Wall Putty*' 70 bags of 40 kg. The miscreants also robbed Rs. 3600/- and other articles. The miscreants fled away by the robbed *Pick-up Van* after tiding the hands and legs of the driver and cleaner of the said vehicle and thrown them out of the said vehicle.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 12.07.2020. The petitioner has got no criminal antecedent. 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 Aman Kumar. From the joint house of the petitioner, 08 bags of '*Royal Touch Wall Putty*' is said to have been recovered. The petitioner had no knowledge regarding the same. There is no compliance of Section 100 of Cr. P.C. It is further submitted that the petitioner may be released on bail after completion of six months in custody.

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 after completion of six months in custody on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Court Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 225 of 2020.

(Sudhir Singh, J)

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