

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35239 of 2020

Arising Out of PS. Case No.-163 Year-2020 Thana- KASIMBAZAR District- Munger

BITTU @ DIWAKAR MANDAL son of SRI PORAS MANDAL Resident of
Mohalla- Chhoti Mirjapur, Near Gas Godam, P.S.- Kasim Bajar, District-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertake to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 457, 380, 511/34 of the
Indian Penal Code.



Prosecution case as lodged by the informant is that on 24.06.2020 at about 2 AM he heard the sound of Kat Kat of Gril. Upon hearing the said sound, he came down from the roof where he was sleeping along with his family members and saw that petitioner along with 4-5 unknown having iron hammer. Upon raising alarm, other accused persons managed to flee away but the petitioner was caught and was handed over to the police. When the informant went inside the room then he found that cash of Rs. 1500/- kept in the packet of the pant and box containing ornaments of gold was missing.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that nothing has been recovered from the possession of the petitioner. He submits that no case under Section 457 and 380 of the Indian Penal Code is made out against the petitioner. He submits that petitioner is a student of ITI Munger and was called by the daughter of the informant to meet her and when they were making love then the informant caught them red handed. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 26.06.2020.

In the facts and circumstances of the case, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kasim Bajar P.S. Case No. 163 of 2020.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

