

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72347 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- KATHAIYA District- Muzaffarpur

PAWAN KUMAR KUSHWAHA @Pawan Kanner Kushwaha@ SINGH S/o
Kapildeo Prasad @ Kapildev Bhagat R/o village- Basudeva, P.S.- Minapur,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Goswami, Adv.

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Kathaiya P.S. Case No. 127 of 2019 for the offence punishable
under Section 392 of the Indian Penal Code.

The allegation is that while the informant was
returning in the night from his clinic to home with cash
amounting to a sum of Rs. 24,000/-, on the way, he was
intercepted by unknown miscreants and his motorcycle, mobile
and the cash amount were snatched by the said miscreants.

The learned counsel for the petitioner has submitted
that petitioner has been falsely implicated in the present case, no
T.I. parade has been held so as to connect the petitioner with the



alleged occurrence and no recovery of stolen articles has been made from the petitioner. It is further submitted that though the petitioner is an accused in two other cases, but he is on bail in the said two cases. Lastly, it is submitted that the petitioner is languishing in custody since 08.08.2019.

Having regard to the facts and circumstances of the case and considering the submissions advanced by the learned counsel for the petitioner coupled with the fact that the stolen articles have not been recovered from the petitioner and no T.I. Parade has been held, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Muzaffarpur in connection with Kathaiya P.S. Case No. 127 of 2019.

(Mohit Kumar Shah, J)

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