

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86191 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- ISHIPUR District- Bhagalpur

ABHISHEK KUMAR Son of Pappu Mandal Resident of Village - Pawaiya,
P.S.- Amarpur, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Damodar Prasad Tiwary, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Ishipur Barahat P.S. Case No. 32 of 2019, registered for the offence punishable under Sections 395/397 and 120B of the Indian Penal Code.

The case of the prosecution in brief is that while the informant had come to his house for taking meal from shop on 4.4.2019 at about 11:45 AM., 7-8 persons, variously armed, had



entered his house and threatened him, whereafter they had committed a loot and had taken away mobile phone and a sum of Rs. 5,000/-.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 6.4.2019. It is further submitted that the petitioner is student of intermediate and he has no complicity in the matter, especially since neither any Test Identification Parade has been held to connect the petitioner with the alleged crime nor any recovery of looted articles/ cash has been made from the possession of the petitioner.

Having regard to the facts and circumstances of the case, considering the period of incarceration of the petitioner herein as also taking into account the fact that no Test Identification Parade has been held so as to connect the petitioner with the alleged crime, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned VIIth, A.D.J., Bhagalpur in connection



with Ishipur Barahat P.S. Case No. 32 of 2019.

(Mohit Kumar Shah, J)

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