IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11721 of 2021

Arising Out of PS. Case No.-445 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

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GUNJAN THAKUR Son of Parmanand Thakur Resident of Village - Pakkisaray, P.S.- Kahalgaon (Ghogha), District - Bhagalpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 15-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal 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 connection with Jagdishpur (Ghoradih) P.S. Case No.445 of 2018 registered for the offence punishable under Sections 392 and 411 of the Indian Penal Code.

The allegation in the FIR is that, while the informant was going in Pick up van with its owner, four accused persons with two motorcycles snatched Rs.4800/- and mobile from the

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informant and Rs.300/- and mobile from the owner of pick up van and fled away.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever took place. He has been falsely implicated in this case without any cause and occurrence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He is not named in the FIR nor apprehended on the spot. FIR was lodged against four unknown persons and only on the confessional statement of co-accused Chandan Kumar, his name appeared in this case. The said Chandan Kumar and one Deepak Kumar have already been granted bail vide Cr. Misc. No.25795 of 2019 dated 30.04.2019 and Cr. Misc. No.25127 of 2019 dated 22.04.2019 by co-ordinate Benches of this court. The petitioner has no criminal antecedent and has been languishing in custody since 27.07.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the

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satisfaction of the learned A.C.J.M.-IXth, Bhagalpur in connection with Jagdishpur (Ghoradih) P.S. Case No.445 of 2018.

(Anjani Kumar Sharan, J)

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