

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14176 of 2021

Arising Out of PS. Case No.-253 Year-2020 Thana- BARAUNI District- Begusarai

Chandan Kumar S/o Munil Mahto @ Munilal Mahto R/o village- Bajalpura,
Ward No. 12, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aruni Singh, Adv.
		Mr. Sandip Kumar Gautam, Adv.
For the Opposite Party/s	:	Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular bail in a case registered under section 392 of the Indian Penal Code.

As per allegations in the F.I.R., three accused persons on a motorcycle, on the point of knife dispossessed the informant of his motorcycle, mobile phone etc. as mentioned in the F.I.R..

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The stolen motorcycle was recovered on information provided by a spy from the possession/hut of one Jamni Devi on whose statement



the name of the petitioner and one another accused transpired that the said motorcycle had been parked by them.

It is submitted by learned counsel for the petitioner that there is no material against him except the alleged statement of Jamni Devi made before the police as also his confessional statement also before the police which is inadmissible. No incriminating article has been recovered from his possession. He has not been put on T.I. parade. He is in custody since 27.8.2020, has no criminal antecedent and investigation in the case has concluded.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for nearly one year, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Barauni P.S. Case no.253 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

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(Partha Sarthy, J)

