

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15219 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- KADAMKUAN District- Patna

Kishore Kumar Bhagat @ Bittu Kumar @ Kishore Bhagat Son Of Lachman Bhagat @ Laxman Bhagat Singh @ Laxman Bhakt Resident Of Repura, P.S.- Bheldi, District- Chhapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-08-2021 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 Kadam Kuan P.S. Case No. 100 of 2020 registered for the offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, petitioner along with other co-accused persons looted the house of the informant. It is alleged that accused persons entered and dragged wife of the informant and when the informant shouted they started beating them. It is



further alleged that the accused persons took away golden biscuits, golden chain, golden bangles, kangan of hands, finder of rings, white stone, laptop, mobile, Cash of Rs. 40, 000/- to 50,000/-.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He is not named in the F.I.R.. He submits that petitioner has not been put on T.I. parade till date. He submits that there is nothing in record indicating the complicity of the petitioner in the occurrence barring the confessional statement of one co-accused *Manish Kumar* which has no evidentiary value in the eye of law. He further submits that similary situated co-accused person has been granted bail *vide* order dated 20.10.2020 in Cr. Misc. No. 27671 of 2020 by a Co-ordinate Bench of this Court. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has one criminal antecedent as has been mentioned in para 3 of the bail petition and has been languishing in custody since 05.03.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, 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 satisfaction of the learned court below



where the case is pending/successor Court in connection with
Kadam Kuan P.S. Case No. 100/20.

(Anjani Kumar Sharan, J)

GAURAV S./-

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