

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18436 of 2021

Arising Out of PS. Case No.-59 Year-2020 Thana- MITHANPURA District- Muzaffarpur

Sawan Kumar, aged about 26 years (Male), Son of Suresh Chaudhary, Resident of Mohalla Mai Sthan Atardah, P.S. Sadar, District Muzaffarpur, Permanent Address: Village Dharampur Susta , P.S. Sakra, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioner and learned APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three 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 a case registered for the offence punishable under Section 392 of the Indian Penal Code as well as under Section 27 of the Arms Act.

The allegation is that while the informant, who is Manager of a petrol pump, was going to the bank on his motorcycle for depositing the sale proceeds of petrol and diesel, amounting to a sum of Rs.5,00,000/-, which he had kept in a bag made of cloth and was being accompanied by one of his staff, namely, Ranjeet Kumar and had reached at Rajput Tola, near the house of Pankaj Singh, three unknown miscreants had arrived



on a motorcycle, surrounded the informant and his staff and on pistol point they had snatched the bag containing the aforesaid sum of Rs.5,00,000/- whereupon they had fled away.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. No incriminating article was recovered from possession of the petitioner. No T.I. Parade has been held till date and similarly situated co-accused, Prakash Kumar has been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No.28833 of 2020 on 11.11.2020. The petitioner is in custody since 28.04.2020. The petitioner has got two criminal antecedents as mentioned in para-3 of the bail petition.

The learned APP vehemently opposed the prayer for bail of the petitioner.

Having considered the facts and circumstances, let petitioner, above named, be released 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/successor court where the case is pending in connection with Mithanpura P.S. Case No.59 of 2020.

(Anjani Kumar Sharan, J)

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