

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19640 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- DEWARIA District- Muzaffarpur

Kamal Kishore Rai Son Of Ram Pravesh Rai Resident Of Village- Bangra,
P.S.- Deoriya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioner and Shri
Mrityunjay Kumar Nirala, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Deoriya P.S. Case No. 79 of 2020 instituted for the offences
under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant had alleged that on 06.06.2020
while he was going to Hajipur on his Bolero pick-up van
bearing registration no. BR-29GA-4615 to take hens then on the
way some miscreants overtook his vehicle and on point of pistol
snatched away Rs. 2,07,000/- from the possession of the
informant and thereafter all the accused persons fled away as
such the F.I.R was instituted against unknown.



Learned counsel for the petitioner submits that the name of this petitioner transpired on the confessional statement of the co-accused namely Shiv Chandra Rai, further, there is no recovery from the possession of the petitioner and till date he has not been put on test identification parade and he is in custody since 09.11.2020 and charge-sheet has been submitted in this case. Further, the co-accused Mukesh Kumar Yadav has been granted bail by this Court vide order dated 22.10.2021 in Cr. Misc. No. 27739 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and states that there is one case against the petitioner as stated in paragraph '3' of the bail application.

Considering the fact that the petitioner is in custody since 09.11.2020, charge-sheet has been submitted in the case, co-accused Mukesh Kumar Yadav has been granted bail by this Court vide order dated 22.10.2021 in Cr. Misc. No. 27739 of 2021, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Muzaffarpur in connection with Deoriya P.S. Case No. 79 of 2020 subject to the condition



as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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