

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22926 of 2021

Arising Out of PS. Case No.-238 Year-2020 Thana- ISLAMPUR District- Nalanda

Indresh Kumar Son Of Shankar Prasad @ Shankar Kumar Resident Of
Village- Mirjan Bigha, P.S.- Eslampur, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is seeking regular bail in connection with Islampur P.S. Case No. 238 of 2020 dated 04.05.2020 instituted for the offences under Sections 384, 385 and 386 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner, at the outset, submits that the petitioner is a person with clean antecedent and is in custody since 21.01.2021 and charge-sheet has been submitted in the case. It is further submitted that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the informant had alleged that on 03.05.2020, a mobile call came on his mobile at 11.44 am that six persons are looting at Chimani Bhatta. Accordingly, the informant called



one Naresh Manjhi and informed him about the same. It is further alleged that the accused persons gave three parchas relating to maoist thoughts and Rs. 50,000/- by way of extortion was demanded from the Munshi of the informant. The Munshi had identified one person namely Lalu Kewat of Balmat Bigha and he can identify the other accused persons.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and it has been specifically stated in the F.I.R. that the Munshi of the informant can identify the accused person but the petitioner despite being in custody since 21.01.2021 has not been put on test identification parade till date as such the petitioner has been falsely implicated in this case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 21.01.2020, no T.I.P. has been done and charge-sheet has been submitted and co-accused has been granted bail, 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 A.C.J.M., Hilsa, Nalanda in connection with Islampur P.S. Case



No. 238 of 2020 subject to the condition as laid down under
Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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