

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29331 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

RAHUL KUMAR @ RAHUL KUMAR TIWARI Son of Anil Tiwari @ Anil Kumar Tiwari Resident of Village- Bashghat, P.S. Chakiya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 16-12-2021 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Sahebganj PS case no. 154 of 2020 instituted for the offences punishable under Sections 395, 412 of Indian Penal Code.

The allegation is regarding four unknown miscreants having intercepted the informant while he was travelling on a motorcycle and was going to his in-laws' house, whereafter they had assaulted him and snatched his mobile and cash amount and then, they had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case and is languishing in custody since 08.06.2020. The learned counsel for the petitioner has further submitted that no test identification parade has been held till date so as to connect the petitioner with the alleged crime. It is further submitted that somewhat, similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 08.10.2021, passed in Cr. Misc. no. 40509 of 2021. Lastly, it is submitted that the name of the petitioner has transpired in the present case merely on the basis of confessional statement made by the co-accused person.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that no test identification parade has been held till date so as to connect the petitioner with the alleged crime and the petitioner is languishing in custody since 08.06.2020, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like



amount each to the satisfaction of learned court of A.C.J.M. 1st
(West)-cum-Sub Judge, Muzaffarpur in connection with
Sahebganj PS case no. 154 of 2020.

(Mohit Kumar Shah, J)

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