

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31688 of 2021

Arising Out of PS. Case No.-13 Year-2019 Thana- PIRO District- Bhojpur

RAKESH KUMAR S/o Harikishun Singh R/o village- Rajmaldih, P.S.-
Sikrahta, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Adv.
For the Opposite Party/s : Ms Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2021 Heard Mr. Rajani Ranjan Pd. Singh, learned counsel

for the petitioner and Ms Asha Kumari, Additional Public

Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with Piro
PS Case No. 13/2019 registered for the offence punishable
under Section 392/120(B) of the IPC.

This is the second attempt for bail made on behalf of
petitioner inasmuch as bail application of the petitioner was
earlier rejected *vide* Cr. Misc. No. 23754/2020 dated 09.11.2020
with liberty to renew his prayer for bail after four months.

The prosecution story is that while the informant was
going on his motorcycle, he was accosted by two unknown
miscreants who looted away his motorcycle along with mobile
phone.



Learned counsel for the petitioner submits that the petitioner is not named in the FIR and he has falsely been implicated in this case on the basis of disclosure of his name by co-accused, Chhotan Yadav. Learned counsel further submits that petitioner is in custody since 20.02.2020 and no incriminating or looted article has been recovered from the possession of petitioner. Learned counsel next submits that similarly situated co-accused, namely, Brajesh Kumar @ Funnu Kumar has been granted bail by a co-ordinate Bench of this Court *vide* Cr. Misc. No. 30528/2020.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no incriminating or looted article has been recovered from the possession of the petitioner, he is in custody since 20.02.2020, similarly situated accused, namely, Brajesh Kumar @ Funnu Kumar has been granted bail by a co-ordinate Bench of this Court and this is the second attempt for bail by the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RAKESH KUMAR be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Bhojpur, Ara in connection with Piro PS Case No. 13/2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the covid protocol like social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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