

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29637 of 2021

Arising Out of PS. Case No.-431 Year-2020 Thana- PAKARIBARAW District- Nawada

DINESH KUMAR Son of Surendra Yadav Resident of Village - Tanpura,
P.S.- Pakribarawan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Kumar, Adv.
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-12-2021

Heard.

The petitioner seeks regular bail in connection with Pakribarawa P.S. Case No. 431 of 2020 for the offence punishable under Section 394 of the Indian Penal Code.

The allegation is regarding unknown miscreants having stopped a pick up vehicle and having looted a sum of Rs. 25,000/- from the Khalasi of the said pick up van. It is alleged that during the course of investigation, the petitioner was identified by the said khalasi (cleaner of the pick up vehicle) subsequently after a lapse of one and half months.

The learned counsel for the petitioner has submitted that the petitioner is innocent, is having a clean antecedent and is languishing in custody since 02.01.2021. The learned counsel for the petitioner has further submitted that neither the petitioner was arrested from the spot nor



any money has been recovered from the petitioner, hence he has been falsely implicated in the present case.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

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 recovery has been made from the petitioner and he is languishing in custody since 2.1.2021 as also he is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Pakribarawa P.S. Case No. 431 of 2020.

(Mohit Kumar Shah, J)

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