

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28914 of 2021**

Arising Out of PS. Case No.-415 Year-2019 Thana- GAIGHAT District- Muzaffarpur

VISHNUDEV RAI @ VISHUNDEW RAI Son of Parikshan Rai Resident of
Village - Angaon Bakori (Yajuar), P.S.- Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Ms. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 16-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 395 and 397 of the Indian Penal Code to which section 412 was added subsequently.

As per the prosecution case, nine accused persons on three motorcycles are stated to have looted the informant on the point of pistol of his belongings as described in the F.I.R.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against nine unknown. Referring to the order of the learned Court below, it is submitted that the name of the petitioner transpired in the confessional statement of coaccused Atma Ram Thakur, Chunchun Kumar Yadav and Vishwanath Ray, all having been enlarged on bail vide order



dated 3.6.2020 passed in Cr.Misc. no.6635 of 2020, order dated 1.3.2021 passed in Cr. Misc. no.38596 of 2020 and order dated 4.9.2020 passed in Cr. Misc. no.21891 of 2020. Contrary to the allegations, no incriminating article has been recovered from the petitioner's possession or house. The petitioner is in custody since 24.11.2020 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner being in custody for over 1 year and grant of bail to the above named three accused on whose confessional statement the name of the petitioner transpired, the Court directs the petitioner to be of enlarged on bail in connection with Gaighat P.S. Case no. 415 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XV, Muzaffarpur.

(Partha Sarthy, J)

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