

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32364 of 2021

Arising Out of PS. Case No.-325 Year-2020 Thana- PIPRA District- Supaul

UPDESH KUMAR S/O- Radheshyam Yadav R/O- Jaraila, Ward No. - 7, P.S.
- Triveniganj, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Kumar
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Pipra P.S. Case no. 325
of 2020 registered for the offence punishable under section 392 of the
Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is
in custody since 23.01.2021 and charge sheet has been submitted
and petitioner is person with clean antecedent. Learned counsel for
the petitioner submits that from bare perusal of the allegation as
alleged in the FIR, it would manifest that FIR was instituted against
unknown and the informant alleges that on 10.12.2020 at 7 p.m.,
when he reached near brick-kiln situated at village Sakhua, three
unknown accused persons came riding on motorcycle from back side
of the victim and surrounded him by overtaking and thereafter, it is
alleged that his belongings were snatched which includes mobile,



driving licence and insurance paper. Learned counsel for the petitioner further submits that petitioner is not named in the FIR and his name has come on the confessional statement of one Mukesh Kumar who was arrested by the police based on secret information received from police spy. He next submits that petitioner purchased the said mobile from Mukesh Kumar and was using his own Sim which amply demonstrates that petitioner was not aware that the mobile was stolen, further, it is submitted, if the petitioner knew that the mobile was stolen, he would not have inserted his sim in the said mobile fearing arrest.

Learned APP opposed the prayer for bail.

Considering the facts that petitioner is in jail custody since 23.01.2021, charge sheet has been submitted and petitioner is a person with clean antecedent, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate VI, Supaul in Pipra P.S. Case no. 325 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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