

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32669 of 2021**

Arising Out of PS. Case No.-976 Year-2020 Thana- AHYAPUR District- Muzaffarpur

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SURAJ KUMAR Son of Rajiv Kumar Mishra @ Rajiv Kumar Resident of
Village - Dwarikanagar, P.S.- Mushahari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Damodar Pd. Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-12-2021 Heard Mr. Arun Kumar, learned counsel for the

petitioner and Mr. Damodar Pd. Tiwary, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Ahiyapur PS Case No. 976/2020 registered for the offence
punishable under Section 395 of the IPC.

As per prosecution case, six unknown miscreants
entered into the informant's office i.e., Bharat Financial
Inclusion Ltd, Raghapur, Muzaffarpur and looted a sum of Rs.
61,000/-, two mobiles, two Tabs of Samsung make etc., on the
gun point.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of



confessional statement of the petitioner. Learned counsel further submits that no test identification parade has been held by the police and the petitioner is in custody since 30.12.2020 and no looted article has been recovered from the possession of the petitioner and the co-accused, Raja Kumar has been granted bail by a co-ordinate Bench of this Court *vide* Cr. Misc. No. 28811/2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the findings of the learned court below in the impugned order that the petitioner has been identified in CCTV footage and the parity claimed by the petitioner is not tenable, I am not inclined to grant regular bail to the petitioner. The same is, hereby, rejected.

(Anil Kumar Sinha, J)

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