

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36052 of 2021

Arising Out of PS. Case No.-283 Year-2020 Thana- JOKIHAT District- Araria

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BANTI @ SHIVSHANKAR KUMAR Son of Rajesh Kumar Resident of
Village - Rahimpur Panchkhuti, Ward No. 11, P.S. - Muffasil, District -
Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 392 of the
Indian Penal Code.

As per the prosecution case, four accused persons
are stated to have come and on the point of pistol forcibly took
possession of the informant's Scorpio vehicle stating that he had
defaulted in payment under the hire purchase agreement.

It is submitted by learned counsel for the petitioner
that the F.I.R. was registered against unknown. Referring to the
order of the learned Court below it is submitted that the name of
the petitioner transpired in course of investigation in
the restatement of the informant wherein he states that



while he was returning to Forbisganj on tempo, he saw the Scorpio vehicle parked on the road side and the petitioner and one another accused along with police personnel were present. Learned counsel for the petitioner submits that the petitioner was not in possession of the stolen vehicle. He has been falsely implicated in the case. He is in custody since 7.12.2020 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 petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Jokihat (Mahalgaon) P.S. Case no. 283 of 2020 (G.R. no.2879 of 2020) 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 Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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