

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37708 of 2021

Arising Out of PS. Case No.-11 Year-2020 Thana- PARBATTA District- Bhagalpur

Dharmendra Kumar @ Doma, S/O Raja Ram Yadav R/O Village-
Jaynandanpur, P.S-Fatuha, District-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh- Advocate

For the Opposite Party/s : Ms. Veena Rani Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Parbatta
P. S. Case No.11 of 2020, instituted for the offences under
Section 392 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 22.12.2020 and charge-sheet has
been submitted in this case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the informant alleges that on 28.01.2020 at about
5.00P.M. in the evening, the informant was driving his Scorpio
car along with Mithilesh Kumar and when they reached
Vikramshila bridge at about 12.30 hours, it is alleged that they



saw a white Suzuki Dzire bearing a Jharkhand number came in front of their vehicle and stopped the vehicle of the informant. Thereafter, it is alleged that 7-8 persons were sitting inside the car and two persons came out from the car and came near the driver of the informant and asked for a bottle of water. Immediately thereafter, it is alleged that both the accused forcibly opened the gate of the informant's vehicle and got inside the same and drove the vehicle towards Naugachia.

It is next alleged that other accused snatched away a Samsung mobile of the informant along with his wrist watch, gold finger ring and his purse containing Rs.25,00/- cash, ATM card and Pan card.

The learned counsel for the petitioner submits that the F.I.R. was against unknown. The name of this petitioner transpired during the course of investigation based on his own confessional statement where he accepted that he along with other accused persons had committed the offence. Learned counsel for the petitioner submits that the confession before the police has no evidentiary value in the eye of law and this petitioner has been implicated merely because he has antecedent. However, till date, he has not been put on T. I. Parade.



The learned A.P.P. for the State opposes the bail application and submits that petitioner has 18 antecedents of similar nature to which the learned counsel for the petitioner submits that petitioner has been implicated in those cases by way of remand from other cases when the petitioner was not named in many of the cases. Out of 18 cases, he is on bail in 15 cases and he has been falsely implicated in the aforesaid case. The learned counsel for the petitioner further submits that though it is alleged that petitioner had confessed, but no incriminating article was recovered from his possession.

Considering the fact that the petitioner is in custody since 22.12.2020 and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Naugachia, Bhagalpur in connection with Parbatta P. S. Case No.11 of 2020, with a condition that petitioner will have to mark his attendance before the concerned police station in between 20th to 25th of every month commencing from January, 2022, till the charges are not framed. In the event, the concerned police station reports to the learned Court below that petitioner has



violated the condition imposed as aforesaid in any of the month,
the learned Court below will be at liberty to cancel his bail
bonds.

The application stands allowed.

(Satyavrat Verma, J)

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