

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29677 of 2020

Arising Out of PS. Case No.-72 Year-2019 Thana- DHANGAI District- Bhojpur

SRI KISHUN KUMAR RAY, age 22, Son of Ram Nath Ray, Resident of
Village - Nausetandh Mathiya, P.S.- Bihiya, District – Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.
For the Opposite Party : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-01-2021 Learned counsel for the petitioner is directed to
remove the defect (s), as pointed out by the office, within a
period of four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Section 392 of the I.P.C.

The prosecution story, in brief, is that while the
informant was coming with cash of Rs. 78,450/-, three unknown
Motorcycle borne miscreants appeared and snatched away his
bag containing cash as well as snatched away the key of his
Motorcycle and fled away.

Earlier bail application of the petitioner was rejected
by the then Co-ordinate Bench of this Court vide Cr. Misc. No.



5105 of 2020 under order dated 28.02.2020, annexed as Annexure-2 to the bail application with an observation that if the trial is not concluded within a period of six months, petitioner will be at liberty to renew his prayer for bail.

In pursuance to the said observation made in the earlier order, the present bail application has been preferred on behalf of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 01.12.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in the present case on the basis of C.D.R. details. It has further been submitted that Rs. 12,000/- is said to have been recovered from the petitioner which is claimed by him to be his own. No T.I. Parade has been conducted to ascertain the participation of the petitioner in the alleged occurrence. Other co-accused has been granted bail by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 5818 of 2020 under order dated 23.06.2020, annexed as Annexure-3 to the bail application.



On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist, Bhojpur at Ara, in connection with Dhangai P.S. Case No. 72 of 2019.

(Sudhir Singh, J)

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