

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34762 of 2020

Arising Out of PS. Case No.-135 Year-2020 Thana- DURGAWATI District- Kaimur (Bhabua)

DINESH KUMAR, aged 20 years, Sex-Male, S/o Sri Shiv Bachan Ram,
Resident of Village-Kulhariya, P.S.-Durgawati, District-Kaimur at Bhabua.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dharmendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Rajballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to

remove the defects, 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 Sections 379, 401, 413, 414, 419, 420 and

411/34 of the I.P.C.

The prosecution story, in brief, is that on the date and

time of occurrence, the informant was going to his home by the

Passion Pro-Motorcycle of his brother. At *Kulharia More*,

feeling uneasy, informant parked his Motorcycle on a *Tea Stall*

and slept on a Bench of Ram Bachan Ram. After awakening at

1.45 A.M., he found that his Motorcycle was not there.



It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 26.05.2020. 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 come in course of investigation on the basis of information given by the police spy. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

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 C.J.M., Kaimur at Bhabua, in connection with Durgawati P.S. Case No. 135 of 2020.

(Sudhir Singh, J)

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