

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34395 of 2020

Arising Out of PS. Case No.-129 Year-2020 Thana- BAIRIYA District- West Champaran

SHYAMBABU PATEL S/o Heeralal Patel R/o Village- Pathri Ghat, P.S.-
Bettiah (Town), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-01-2021 Heard both sides.

Petitioner seeks bail in Bairiya P.S. Case No.129 of 2020 registered under Section 394 of the IPC and under Section 37(c) of the Bihar Prohibition and Excise Act.

The informant alleged that on 26.03.2020 at about 9:15 p.m. while he was returning to his house, three persons stopped his motorcycle, assaulted him with bamboo stick and on the point of pistol, robbed Rs.1,000/- from his pocket. They also took away his mobile having Airtel SIM no.7503839121.

Learned counsel for the petitioner submits that the petitioner is said to have been arrested on the spot but the informant gave his fardbeyan on 27.03.2020. Nothing has been recovered from possession of the petitioner. The petitioner has got no criminal antecedent of such nature. He was accused in



two other cases registered under Sections 30(a) and 37(c) of the Bihar Prohibition and Excise Act and under Section 324 and other sections of the I.P.C. The petitioner is in jail since 27.03.2020. The petitioner has already remained in jail for more than nine months.

Taking into consideration the facts aforesaid, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Bairiya P.S. Case No.129 of 2020.

(Prabhat Kumar Jha, J)

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