

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34315 of 2020

Arising Out of PS. Case No.-92 Year-2020 Thana- KORHA District- Katihar

RAHUL KUMAR S/o Birendra Kumar R/o Village-Navaiya, P.S.-Korha,
District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-02-2021 Heard both sides.

The petitioner seeks bail in Korha P.S. Case No.92 of
2020 registered under Section 392 of the Indian Penal Code.

The informant lodged the case against two unknown
persons alleging therein that while he was returning after
collecting money from different customers, two criminals came
on white colour Apache motorcycle and dashed the motorcycle
of the informant. The informant fell down. The accused persons
took away Rs.2,50,000/- from the dickey of the motorcycle. The
accused persons also snatched the mobile and key of the
motorcycle of the informant.

The learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. For the first time, the name
of the petitioner surfaced in the case in the statement of
informer of the police and on such, house of the father-in-law of



the petitioner was raided. The petitioner was apprehended and Rs.70,000/- is said to have been recovered from the house of the father-in-law of the petitioner. It is further submitted that father-in-law of the petitioner filed petition that he had kept the money to meet the expenses of Vidai of his daughter but money was not put on T.I.P. nor the petitioner is put on T.I.P. Petitioner is in jail since 06.03.2020. Save and except the confession of the petitioner, the police did not find any tangible material to show the involvement of the petitioner. The recovery of money does not show that the money recovered was looted one.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner and the fact that petitioner is in jail for about eleven months and also the fact that petitioner has got only one case pending against him, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Rahul Ranjan, learned J.M. 1st Class, Katihar in connection with Korha P.S. Case No.92 of 2020.

(Prabhat Kumar Jha, J)

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