

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36446 of 2020

Arising Out of PS. Case No.-115 Year-2018 Thana- SURSAND District- Sitamarhi

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Prem Rai @ Prem Kumar @ Prem Kumar Yadav son of Sharwan Rai R/o
village- Bangraha, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 24-02-2021 Heard both sides.

The petitioner seeks bail in Sursand P.S. case No.
115/2018 registered u/s 392 of the IPC.

The informant alleged that he is salesman of Fashion Jacket and he used to supply jackets in markets of Sitamarhi and Muzaffarpur. The informant collected Rs. 5,40,000/- and also collected Rs. 44,000/- and thereafter he was going to his native village but two motor cycle borne miscreants intercepted him. Both the accused persons snatched his bag containing money.

The learned counsel for the petitioner submits that petitioner is not named in the FIR. Nothing has been recovered from the possession of the petitioner. The petitioner was arrested on 01.04.2020 and since then he is in custody. The police submitted charge sheet on the basis of mere suspicion but the



petitioner has not been put in T.I. parade. The learned Sessions Judge has referred some paragraphs of the case diary in his order but from perusal of the case diary it would appear that some of the witnesses in those paragraphs have simply stated that petitioner was found moving around the place of occurrence. Nobody has seen the petitioner committing any crime and the police also did not collect any further tangible evidence to show the involvement of the petitioner.

Having considered the facts aforesaid and the fact that petitioner is in custody since 01.04.2020 but he has not been put in T.I. parade, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub divisional Judicial Magistrate, Pupari at Sitamarhi in connection with Sursand P.S. case No.115/2018.

(Prabhat Kumar Jha, J)

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