

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37335 of 2020

Arising Out of PS. Case No.-190 Year-2020 Thana- MANJHI District- Saran

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GUDDU KUMAR RAM SON OF HARISHANKAR RAM RESIDENT OF
VILLAGE - MUBARAKPUR, PHULWARIA, P.S. - MANJHI, DISTRICT -
SARAN AT CHHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Dilip Kumar no. 1

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-03-2021 Heard the learned counsel for the petitioner and

Sri Dilip Kumar no. 1, the learned APP for the State.

The petitioner seeks regular bail in connection
with Manjhi PS case no. 190 of 2020 instituted for the offences
punishable under Sections 392, 394 of Indian Penal Code.

The allegation is regarding unknown accused
persons having surrounded the informant on the alleged date
and time of occurrence, whereafter they had assaulted the
informant and snatched his bag containing money as also a
mobile phone.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, is having a clean antecedent and



is languishing in custody since 28.07.2020. The learned counsel for the petitioner has further submitted that neither any test identification parade has been held so as to connect the petitioner with the alleged crime nor any recovery has been made from the petitioner, as far as the looted articles are concerned, hence benefit of doubt may be extended to the petitioner for the purposes of grant of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also those available in the case diary, this Court finds that neither the looted articles have been recovered from the possession of the petitioner nor any test identification parade has been held so as to connect the petitioner with the alleged crime and moreover, the petitioner is having a clean antecedent, thus, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M. XII,



Saran at Chhapra or his successor in connection with Manjhi PS
case no. 190 of 2020.

(Mohit Kumar Shah, J)

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