

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40088 of 2020**

Arising Out of PS. Case No.-307 Year-2019 Thana- KOTWA District- East Champaran

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BALA DAS@ AJAY DAS SON OF NAGINA DAS RESIDENT OF
VILLAGE- GULARIYA TOLA HUSENI, P.S.- DUMARIYA GHAT,
DISTRICT- EAST CHAMPARAN MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-03-2021 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with

Kotwa P.S. Case No. 307 of 2019 registered for the offence

punishable under Section 394 of the Indian Penal Code

1860.

The allegation as per the First Information Report

is that when the informant was returning to his house on

Motorcycle, he was waylaid by Motorcycle borne criminals.

It is further alleged that the they stopped the Motorcycle of

the informant, abused and assaulted him and snatched his



Motorcycle as well as a sum of Rs.10,000/-.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement made by co-accused Dheeraj Sahani in Pipara P.S. Case No. 413 of 2019 and from that case, the petitioner has been remanded in this case on 7.1.2020. Learned counsel further submits that no incriminating material and/or looted article has been recovered from possession of the petitioner and he is in custody since 7.1.2020 i.e about more than one year.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that petitioner is in custody since 7.1.2020 and charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Kotwa P.S. Case No. 307 of 2019.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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