

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39924 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- BHAGWANPUR District- Vaishali

RAJA KUMAR, Son of Chandraket Rai, Resident of Village- Dighi Khurd,
P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 392 of the Indian Penal Code.

Prosecution case in brief is that on the date of occurrence informant was going to home from Patna. When the informant proceeded near Bhagwanpur Toll Plaza, four miscreants armed with weapons surrounded him and robbed his motorcycle, Voter ID, Adhar Card, EPF Card, ESIC Card, Pen Drive, Mobile Charger, Vehicle R.C., ATM Card and a bag containing cash Rs.13,000/- on gun point. The miscreants are



about the age of 20 years and one of them was on Pulsar motorcycle.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The petitioner has been made accused in this case on the basis of confessional statement of co-accused in Lalganj P.S. Case No. 332/2019 as per para 34 of the case diary which is indicated in the impugned order. There is no recovery of any incriminating articles from the house of the petitioner. There is no T.I. parade till date. The petitioner is languishing in custody since 13.12.2019.

Learned APP for the State opposed the bail petition.

Considering the aforesaid facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail **after framing of the charge** on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P. S. Case No.216/2019.

(Anjani Kumar Sharan, J)

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