

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5972 of 2021

Arising Out of PS. Case No.-254 Year-2020 Thana- KHAIRA District- Saran

ANIL KUMAR BHAGAT @ ANIL KUMAR Son of Tarkeshwar Bhagat
Resident of Village- Saiki Kewani, P.S.- Garkha, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar
For the Opposite Party/s : Mr.Ram Naresh Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Khaira P.S. Case No.254 of 2020 registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case in short is that while the informant was returning from Saadpur, three persons stopped him and by putting a pistol and a knife over his head, looted his motorcycle and mobile.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case and has not committed any offence as alleged in the FIR. His name appeared on the confessional statement of the co-accused. No such occurrence as alleged ever took place. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. No T.I. Parade has been conducted till date. The petitioner has no criminal antecedent and has been languishing in custody since 02.10.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail 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 court below, where the case is pending, in connection with Khaira P.S. Case No.254 of 2020.

(Anjani Kumar Sharan, J)

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