

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8320 of 2021

Arising Out of PS. Case No.-464 Year-2020 Thana- HARNAUT District- Nalanda

=====

ANKIT KUMAR @ SUBHASH KUMAR SON OF SHANKAR PANDIT
RESIDENT OF VILLAGE- MAHATHWAR P.S- KALYAN BIGHA
(HARNAUT) DISTT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Harnaut P.S. Case No. 464 of 2020 registered under section 392 of the Indian Penal Code to which section 411 of the Indian Penal Code was added subsequently.

As per allegation in the F.I.R., the informant who was going on his motorcycle was over powered by three accused persons on the point of pistol. They dispossessed him of his belongings including his motorcycle and Rs.4,000/- in cash.

It is submitted by learned counsel appearing for the petitioner that the F.I.R. was registered against unknown.



Referring to the order of the learned Court below, it is submitted that the material that has transpired in course of investigation has been dealt with in detail by the learned Court below while rejecting the application for bail of the petitioner. The name of the petitioner transpired in the confessional statement of co-accused Dhiraj Kumar @ Rocky made before police and it is alleged that the looted mobile phone was recovered from the possession of this petitioner. Although, the allegations are false and incorrect, however even accepting the said allegation for sake of argument, only a case under section 411 of the Indian Penal Code would be made out against the petitioner who has remained in custody since 14.9.2020.

The prayer for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made by learned counsel for the petitioner together with the petitioner having remained in custody for over 9 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Harnaut P.S. Case No. 464 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Nalanda at
Biharsharif.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

