

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2132 of 2022

Arising Out of PS. Case No.-976 Year-2020 Thana- AHYAPUR District- Muzaffarpur

SUDHANSHU KUMAR S/o Birendra Kumar Resident of Village- Dwarika
Nagar, P.S.- Mushari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Ahiyapur Police Station Case No. 976 of 2020, registered for
the offence punishable under Section 395 of the Indian Penal
Code.

The prosecution case, as per the First Information
Report, is that six miscreants entered into the office of the
informant and on the point of pistols, looted away Rs. 61,000/-,
two mobile phones and two Tabs of Samsung company.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of
disclosure of his name by the co-accused Suraj Kumar. He
further submits that no incriminating and/or looted article has



been recovered from the possession of the petitioner and the petitioner has not been put on Test Identification Parade by the police as yet. He further submits that similarly situated co-accused Raja Kumar has been granted bail by co-ordinate Bench of this Court, vide order, dated 10.08.2021, passed in Criminal Misc. No. 28811 of 2021. He further submits that the petitioner is in custody since 30.12.2020 and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the prosecution is not named in the First Information Report, he has not been put on Test Identification Parade, no incriminating material has been recovered from his possession, similarly situated co-accused person has been granted bail by this Court, charge sheet has already been submitted and the petitioner is in custody since 30.1.2020, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Muzaffarpur, in connection
with Ahiyapur Police Station Case No. 976 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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