

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3328 of 2022

Arising Out of PS. Case No.-958 Year-2020 Thana- FORBESGANJ District- Araria

ANSHU KUMAR SAH S/O BINOD SAH R/o village- Tedi Mushari, Ward
No. 04, P.S.- Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

The petitioner seeks regular bail in connection with Forbesganj (Simraha) Police Station Case No. 958 of 2020, registered for the offence punishable under Section 392 of the Indian Penal Code, 1860.

The prosecution case, as per the First Information Report, is that four unknown criminals accosted the informant and snatched away Rs.10,000/- and one mobile phone from him.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been made accused in this case on the basis of confessional statement of co-accused Chhotu Kumar Mehta, who was in custody in connection with Forbesganj Police



Station Case No. 954 of 2020 and the petitioner has been remanded in this case from Forbesganj Police Station Case No. 954 of 2020. He further submits that no incriminating material and/or looted article has been recovered from the possession of the petitioner and he has also not been put on Test Identification Parade. He further submits that similarly situated co-accused person, namely, Md. Tabrej (vide order passed in Criminal Misc. No. 46742 of 2021) and Aashish Paswan (vide order passed in Criminal Misc. No. 48264 of 2021) have been granted bail by this Court. He further submits that the petitioner is in custody since 09.01.2021 and charge sheet has already been submitted and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that no incriminating material and/or looted article has been recovered from possession of the petitioner, the petitioner has been made accused on the basis of confessional statement of co-accused only, he was not put on Test Identification Parade, similarly situated co-accused persons have been granted bail by this Court, he is in custody since 09.01.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to



the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) P.S. Case No. 958 of 2020, subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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