

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23740 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- DINARA District- Rohtas

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Amaresh Choudhary, Son of Dharbharan Choudhry, Resident of Village -
Kukurha, P.S.- Itarhi, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

5 14-02-2022 The applicant/accused in Crime No. 18 of 2020

registered with Dinara (Bhanas) Police Station for the offences

punishable under Sections 394 of the Indian Penal Code, by this

application is seeking his release on bail during course of the

trial.

Heard the learned counsel appearing for the

applicant/accused. He argued that the applicant is falsely been

implicated in the subject crime. Nothing was recovered from

him nor he was subjected to the Test Identification Parade.

The learned Additional Public Prosecutor opposed

the application by contending that the vehicle used for

committing robbery is owned by the applicant.

I have considered the submissions so advanced and

also perused the material placed before me.



It is the case of the prosecution that first informant Prem Gupta along with his friends was going to Varanashi by his car. One vehicle of Mahindra make intercepted the car of the first informant. Four persons who were inmates of that Mahindra vehicle assaulted inmates of the car driven by the first informant and looted car, cellphone and cash amounting to Rs.1500/- from them.

According to the prosecution case, the vehicle of Mahendra make involved in the robbery is registered in the name of the applicant. The FIR itself shows that no registration number plate was affixed to the vehicle used in the robbery. The applicant was not subjected to the Test Identification Parade and nothing was recovered from him.

In this view of the matter, considering the fact that the applicant has already undergone pretrial detention of one year and six months, I see no reason to refuse bail to the applicant by imposing stringent condition. Hence, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 18 of 2020 registered with Dinara (Bhanas) Police Station be released on bail on executing P.R. bond of Rs.25,000/- (Rupees Twenty Five Thousand) on furnishing surety of the like amount to the



satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

Bhardwaj/-

(A. M. Badar, J)

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