

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33667 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

RAHUL @ NARIYAL @ RAHUL SAH S/O LATE TUNTUN SAH @
MUNNA SAH R/O VILLAGE-SIKANDARPUR, P.S.- MOJAHIDPUR,
DISTRICT BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 18-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Industrial Prakshetra (Bhagalpur) P.S. Case No. 75 of 2020
registered for the offence under Section 392 of the I.P.C.

The allegation, as per the First Information Report, is
that four unknown accused persons looted a sum of Rs.1300/-,
motorcycle, gold ring and mobile of the informant on gun point.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case on the basis of
confessional statement made by the co-accused / Umang Kumar
in Mojahidpur (Babarganj) P.S. Case No. 164 of 2020 registered
under Sections 399, 402, 353 of the I.P.C. He further submits



that no incriminating article and / or looted property has been recovered from the possession of the petitioner and he has not been put on Test Identification Parade despite the petitioner being in jail since 11-12-2020. Accordingly, submission is that except confessional statement no other material is there against the petitioner to connect him with the present offence and other co-accused persons namely Santosh Kumar Yadav @ Chotu Kumar and Aniket Pandey @ Aniket Kumar Pandey have been granted bail by this Court in Cr. Misc. 39289 of 2021 and 30921 of 2021 respectively.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner has not been put on T.I. Parade, no incriminating and / or looted article has been recovered from the possession of the petitioner, he is in custody since 11/12/2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Industrial Prakshetra P.S. Case



No. 75 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)

S.Ali/-

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

