

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39416 of 2021**

Arising Out of PS. Case No.-158 Year-2019 Thana- BAKHARI District- Begusarai

KAMAL KISHORE @ MANGAL S/O GOPAL MAHTO R/o village-
Chhaurahi, P.S.- Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 24-01-2022 Heard Mr. Bipin Kumar, learned counsel for the

petitioner and Mritunjay Kumar Nirala, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Bakhari P.S. Case No. 158 of 2019 registered for the offence

punishable under Section 395 of the Indian Penal Code 1860.

The prosecution story in nutshell is that a pick-up van

which was being driven by the informant was intercepted by 4-6

miscreants sitting in a Victa vehicle and snatched the pick up

van, Mobile phone, Rs.2,800 cash etc. from the informant and

fled away.

Learned counsel for the petitioner submits that the

petitioner has got no criminal antecedent and he has falsely been



implicated in this case on the basis of confessional statement of co-accused Vikash Kumar @ Lallu. He further submits that looted articles have not been recovered from possession of the petitioner and the petitioner is in custody since 7.4.2021. Learned counsel also submits that the petitioner has not been put on Test Identification parade by the Police as yet and the charge sheet has already been submitted. He next submits that other co-accused person has been granted bail by a coordinate Bench of this Court in Cr. Misc. 37507 of 2020.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 7.4.2021, no recovery has been made from possession of the petitioner and his name transpired on the basis of confessional statement only, charge sheet has already been submitted and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Bakhari P.S. Case No. 158 of



2019 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.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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