

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39077 of 2021**

Arising Out of PS. Case No.-130 Year-2019 Thana- BACHHWARA District- Begusarai

AWADHESH CHOUDHARY @ KARORI KUMAR Son of Anmol Choudhary @ Anmol Chaudhary @ Anmol Kumar Resident of Village - Bazopur, Ahiyapur, P.S.- Mansoorchak, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 27-01-2022 Heard.

The petitioner seeks regular bail in connection with Bachhwara P.S. Case No. 130 of 2019, registered for the offence punishable under sections 394 and 120(b) of the Indian Penal Code.

The allegation is regarding unknown miscreants having apprehended the informant while he was going to Badhauna Centre by his pick up vehicle with 40 cans of milk, where-after the unknown miscreants had assaulted the informant and then they had snatched the pick up vehicle in question and fled away.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 02.01.2021. The learned counsel for the petitioner has further submitted that though the petitioner is accused in some other cases, but he is on bail in all the cases. It is further submitted that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any looted articles/ pick up vehicle in question has been recovered from the conscious possession of the petitioner.

Per contra, Mr. Shyameshwar Deyal, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that no Test Identification Parade has been conducted so as to connect the petitioner with the crime in question and



moreover, no looted articles/ pick up vehicle in question has been recovered from the conscious possession of the petitioner or from his house, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 130 of 2019.

(Mohit Kumar Shah, J)

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