

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39148 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- NAVINAGAR District- Aurangabad

SHANKAR KUMAR S/O BHUNESHWAR PRASAD RESIDENT OF
VILLAGE NASRIGANJ, WARD NO.25, P.S-NASRIGANJ, DISTRICT-
ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 11-04-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Nabinagar Police Station Case No. 48 of 2020, registered for the
offence punishable under Section 394 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the informant was intercepted by four miscreants
while he was driving his car and the accused persons, on the gun
point, snatched the said car and the mobiles of the informant and
his friend and fled away. It is further stated in the First
Information Report that the informant can identify the
miscreants.

Learned Counsel for the petitioner submits that the



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of his confessional statement recorded by the police. He further submits that though one of the mobile phones allegedly looted from the informant was recovered from the possession of the petitioner, but the same was purchased by the petitioner as bonafide purchaser without knowing that the same was a looted mobile. He further submits that the petitioner was not put on Test Identification Parade by the police. He further submits that co-accused persons, namely, Ajit Yadav (vide order, dated 14.12.2021, passed in Criminal Misc. No. 31866 of 2021) and Md. Banti (vide order, dated 07.01.2022, passed in Criminal Misc. No. 43200 of 2021) have been granted bail by this Court. He further submits that the petitioner is in custody since 19.03.2021, having no criminal antecedent and charge sheet has been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that similarly situated co-accused persons have been granted bail by this Court, the petitioner was not put on Test Identification Parade, charge sheet has already been submitted



and the petitioner is in custody since 19.03.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Accordingly, let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Aurangabad, in connection with Nabinagar Police Station Case No. 48 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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