

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39311 of 2021

Arising Out of PS. Case No.-330 Year-2020 Thana- VAISHALI District- Vaishali

JUGNU KUMAR @ VISHWAJEET SINGH @ VISHWAJIT KUMAR S/O
DILIP SINGH R/O JHAJHA PATERHA, P.S-VAISHALI (BELSAR O.P.),
DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Vaishali P.S. (Belsar O.P.) Case No. 330 of 2020 registered for the offence under Section 394 of the I.P.C.

As per the First Information Report the informant, who is a delivery boy of *Flipkart* was intercepted by three unknown miscreants, who robbed the informant of his cash, mobile, bag etc. The description of the miscreants has been given in the First Information Report that one miscreant was wearing T-Shirt and two others were wearing shirt and they were in the age group of 25-30 years.

Learned counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of confessional statement made by co-accused Raj Kishore Kumar @ Raja Rai in Mahua P.S. Case No. 648 of 2020. He further submits that thereafter confessional statement of the petitioner was also recorded thereafter he has been made accused in three other cases which have been stated in paragraph no. 3 of this application. Learned counsel referring to Annexure- 3 to this bail petition submits that there was money dispute between the father of the co-accused / Raj Kishore Kumar @ Raja Rai and the father of the petitioner due to which petitioner has been implicated in this case by Raj Kishore Kumar @ Raja Rai. He further submits that no incriminating / looted article has been recovered from the possession of the petitioner and the petitioner has not been put on test identification parade. He also submits that petitioner is a handicap person and his left hand is amputated and description regarding one of the miscreants being handicap has not been given by the informant in the First Information Report. The petitioner is in custody since 1st March 2021 and charge sheet has already been submitted.

Regard being had to the submissions made by the parties and taking into consideration the materials available on



record, the fact that no incriminating / looted property has been recovered from the possession of the petitioner, his name transpired on the basis of confessional statement, he has not been put on T.I. Parade, he is in custody since 1 / 3 / 2021 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. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Vaishali at Hazipur in connection with Vaishali P.S. (Belsar O.P.) Case No. 330 of 2020.

(Anil Kumar Sinha, J)

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