

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39289 of 2021**

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

SANTOSH KUMAR YADAV @ CHOTU KUMAR S/o Late Sanjay Yadav
R/o village- Jagatpur, P.S.- Parbatta, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

**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 Industrial Area P.S. Case No. 75 of 2020 registered for the offence under Section 392 of the I.P.C.

As per the allegation 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. Learned counsel further submits that after confessional statement in Mojahidpur (Babarganj) P.S. Case No. 164 of 2020 the petitioner has been implicated in two other cases including the present case and petitioner has been enlarged on bail in all the three cases mentioned in paragraph no. 3 of this petition. 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.

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 Area P.S. Case No. 75
of 2020.

(Anil Kumar Sinha, J)

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