

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40804 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- SHERGHATI District- Gaya

DINA @ DEEPU KUMAR Son of Shatrughan Chandravanshi @ Shatrudhan
Ram Resident of Village and P.S.- Guraru, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kant Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Sherghati PS case no. 117 of 2021 instituted for the offences punishable under Section 392 of Indian Penal Code.

The allegation is regarding unknown miscreants having arrived at the room of the informant & his companions, whereafter, they are alleged to have snatched mobile phones and cash from the informant and others.

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 10.03.2020. The learned counsel for the petitioner has further submitted that a supplementary affidavit has been filed in the present case and it has been brought on record that the petitioner is an accused in 02 other cases but he is on bail in one of the case. It is next submitted that the name of the petitioner has transpired in the present case upon disclosure made by the co-accused person namely Vicky Rajwanshi, after he was arrested by the police. Lastly, it is submitted that in this case, no test identification parade has been held till date so as to connect the petitioner with the alleged crime.

Per contra, the learned A.P.P. 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 learned counsel for the parties and taking into account the materials available on record as also considering the fact that no test identification parade has been held till date so as to connect the petitioner with the alleged crime and moreover, the petitioner is languishing in custody since a long time, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to



be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Chief Judicial Magistrate at Sherghati, Gaya in connection with Sherghati PS case no. 117 of 2021.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

