

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41282 of 2021

Arising Out of PS. Case No.-348 Year-2020 Thana- KRITYANAND NAGAR District-
Purnia

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Md. Javed Alam S/O Md. Azim R/O Village-Milki, P.S-K. Hat (Maranga),
District-Purnia.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 06-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of K. Nagar P.S. Case No. 348 of 2020, disclosing offence punishable under Sections 392 of the Indian Penal Code.

The petitioner is in custody since 08.12.2020. In the first paragraph of the application, Section 302 of the I.P.C. has apparently wrongly been typed in place of 392.

The allegation in the F.I.R. is of snatching of cash and other valuables from the informant by unknown miscreants.

Learned counsel appearing on behalf of the petitioner



has submitted that the petitioner's name emerged during the course of investigation on the basis of information supplied by a spy whereafter a raid was conducted, leading to recovery of a motorcycle and cash of Rs. 10,000/- from the petitioner's possession. He submits that the motorcycle is not stolen one and rather genuinely belongs to the petitioner. So far recovery of cash is concerned, he contends, the same cannot be said to be the same which was snatched from the informant on the date of occurrence.

It is evident that the petitioner was not named in the F.I.R.. He has remained in custody since 08.12.2020. Charge-sheet has already been submitted.

Considering the aforesaid facts and circumstances, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Purnia in K. Nagar P.S. Case No. 348 of 2020.

(Chakradhari Sharan Singh, J)

K.K.RAO/-

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