

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41735 of 2021**

Arising Out of PS. Case No.-431 Year-2020 Thana- PAKARIBARAW District- Nawada

HARI SHANKAR KUMAR Son of Sitaram Yadav Resident of Village-
Tanpura, P.S.- Pakribarawan, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Adv.

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 04-01-2022 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 the learned APP for the State, Sri Raj Kishore Singh.

The petitioner seeks regular bail in connection with Pakribarawan P.S. Case No. 431/2020, registered for the offence punishable under Section 394 of the Indian Penal Code.

The allegation is regarding unknown



miscreants having stopped a pick-up van and they are alleged to have looted a sum of Rs. 25,000/- from the Khalasi of the said pick-up van.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has submitted that though the petitioner is an accused in one other criminal case, but he is on bail in the said case. The petitioner is stated to be languishing in custody since 2.1.2021. The learned counsel for the petitioner has further submitted that Test Identification Parade was held, however, the petitioner was not identified by the informant, hence, the petitioner is not having any complicity in the present case.

Per contra, the learned APP 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 petitioner and taking into account the materials



available on record as also considering the fact that the petitioner has not been identified during the course of the Test Identification Parade held by the police, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Khagaria in connection with Pakribarawan P.S. Case No. 431/2020.

(Mohit Kumar Shah, J)

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