

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42012 of 2021**

Arising Out of PS. Case No.-116 Year-2016 Thana- KARJA District- Muzaffarpur

DEBIYA KUMAR @ DEVENDRA KUMAR Son of Yogi Rai @ Deeplal Rai
Resident of Village - Khalilpur, P.S.- Karja, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Mandal, Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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

2 06-01-2022 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
Md. Sufyan, the learned APP for the State.

The petitioner seeks regular bail in connection with Karja PS case no. 116 of 2016 instituted for the offences punishable under Section 392 of Indian Penal Code.

The allegation is regarding unknown miscreants having intercepted the informant and having looted one tablet, one mobile phone and a cash sum of Rs. 1,08,751/-.

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 13.11.2020. The learned counsel for the petitioner has further submitted that no test identification parade has been held till date so as to connect the petitioner with the alleged crime and only upon the confessional statement of the co-accused person, who has already been granted bail, the petitioner has been falsely implicated in the present case.

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 person on whose confessional statement, the name of the petitioner has transpired in the present case, has already been granted bail, 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 A.C.J.M. IInd (West)-cum-Sub
Judge, Muzaffarpur in connection with Karja PS case no. 116 of
2016.

(Mohit Kumar Shah, J)

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