

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42871 of 2021

Arising Out of PS. Case No.-441 Year-2020 Thana- NAANPUR District- Sitamarhi

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ROHIT KUMAR @ CHHOTKA S/o Kishore Sahni @ Kishori Sahni R/o
village- Raipur, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Singh, Sr. Adv.
	:	Mr. Virendra Kumar, Adv.
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2022 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.

The petitioner seeks regular bail in connection with Nanpur PS case no. 441 of 2020 instituted for the offences punishable under Sections 392 of Indian Penal Code.

The allegation is regarding unknown miscreants having intercepted the informant while he was on way to Mednipur on his motorcycle and then, they are stated to have snatched a bag containing various important documents, mobile



phone etc., from the informant.

The learned Senior 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 05.12.2020. The learned Senior counsel for the petitioner has further submitted that the petitioner has been remanded in all other cases, only after being arrested in the present case and prior to that, he was having a clean antecedent. It is further submitted that the petitioner has been stated to be recognized during the course of test identification parade held by the police on the basis of cut-mark on his nose, however the fact remains that no looted articles have been recovered from the possession of the petitioner. Lastly, it is submitted that similarly situated co-accused person has already been granted bail by this Court.

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 period of incarceration of the petitioner herein apart from the fact that no looted articles have been recovered from the possession of the petitioner and



moreover, the petitioner has been remanded in all the other criminal cases after he was arrested in the present case, 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 S.D.J.M., Pupri, Sitamarhi in connection with Nanpur PS case no. 441 of 2020.

(Mohit Kumar Shah, J)

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