

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42699 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- PANDARAK District- Patna

=====

AZAD KUMAR SON OF AWDESH PRASAD Resident of Village -
Milkipar, P.S.- Bhagan Bigha, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms.Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Ms.Renu Kumari

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-01-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Pandarak P.S. Case No.06 of 2020 for the offence registered
under Section 395 of the Indian Penal Code.

The allegation is regarding the pick up van of the
informant having been overtaken by a Scorpio vehicle in which
six miscreants were sitting, whereafter the said miscreants had
snatched cash amount, mobile phone, documents etc. from the
informant and had then taken away the informant after tying his
hands and legs along with the pick up van, however,
subsequently they had thrown the informant on the side of the
road.

The learned counsel for the petitioner has submitted



that the petitioner is innocent, has been falsely implicated in the present case and he is languishing in custody since 07.12.2020. The learned counsel for the petitioner has further submitted that neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any looted cash amount/snatched pick up van has been recovered from the petitioner. It is next submitted that the name of the petitioner has transpired upon the confessional statement made by the co-accused person before the police, wherein it has been disclosed that the petitioner is one of his accomplice.

Per contra, the learned counsel 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 no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime nor any cash amount/pick up van has been recovered from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed



to be released on bail on furnishing bail bond of Rs. 10,000/-
(Ten Thousand) with two sureties of the like amount each to the
satisfaction of learned A.C.J.M.-Ist, Barh in connection with
Barh P.S. Case No. 06 of 2020.

(Mohit Kumar Shah, J)

S.Sb/-

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

