

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43811 of 2021

Arising Out of PS. Case No.-65 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

ANKUSH KUMAR SON OF SHASHIKANT SINGH Resident of Village -
Vajirganj Karwania, Ward No.3, P.S.- Sasaram (M), Distt.- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raghunandan Kumar Singh, Adv.
For the State	:	Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2022 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, Ms. Anita Kumari Singh.

The petitioner seeks regular bail in connection with Sasaram (M) P.S. Case No. 65/2021, registered for the offence punishable under Sections 395 of the Indian Penal Code and later on, Section 412 of the Indian Penal Code was



added.

The case of the prosecution in brief is that while the informant was going on his Bolero pick-up van loaded with tomatoes on NH-2, unknown miscreants had intercepted his vehicle, whereafter they had committed loot and had taken away the tomatoes.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 8.3.2021. The learned counsel for the petitioner has further submitted that as many as 14 unknown miscreants have been made accused in the present case and as far as the petitioner is concerned, neither the tomatoes have been recovered from the conscious possession of the petitioner nor any Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime. It is further submitted that merely upon disclosure made by the arrested co-accused



persons, the petitioner has been falsely implicated 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 neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any looted article has been recovered from the conscious possession of the petitioner, apart from the fact that the petitioner is having a clean antecedent, 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 Additional Chief Judicial



Magistrate, Rohtas at Sasaram in connection with
Sasaram (M) P.S. Case No. 65 of 2021.

(Mohit Kumar Shah, J)

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