

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46306 of 2021

Arising Out of PS. Case No.-257 Year-2020 Thana- ROSERA District- Samastipur

MITHU ROY @ PURSHOTAM ROY @ PURSHOTAM KUMAR Son of
Ashok Kumar @ Deye Rani Resident of Village - Bhirha, P.S.- Rosera, Dist.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhiyat, Adv. Mr.Pramod Kumar Singh, Adv.
For the Opposite Party/s :		Mr.Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2022 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 Rosera P.S. Case No. 257 of 2020,
registered for the offence punishable under
Section 392 of the Indian Penal Code.

The allegation is regarding unknown
miscreants having intercepted the motorcycle of
the informant, whereafter they are alleged to
have assaulted him and snatched his motorcycle.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 15.6.2021. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case upon disclosure made by the co-accused person, namely, Shyam Babu Poddar, in his confessional statement, after he was arrested by the police. It is further submitted that neither Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime nor the looted motorcycle has been recovered from the possession of the petitioner. As far as the other four criminal cases, in which the petitioner is an accused, are concerned, he is stated to be on bail in all the said cases.

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 no Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime and moreover, the looted motorcycle has not been recovered from the possession of the petitioner, 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 ACJM-1st, Rosera, District-Samastipur in connection with Rosera P.S. Case No. 257/2020.

(Mohit Kumar Shah, J)

Ajay/-

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

