

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.45085 of 2021

Arising Out of PS. Case No.-117 Year-2021 Thana- SHERGHATI District- Gaya

NIRAJ KUMAR @ NIRAJ SINGH Son of Shri Anil Singh Resident of
Village- Karjani, P.S.- Atri, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sherghati P.S. Case No. 117 of 2021 for the offence registered
under Sections 395, 397 and 412 of the Indian Penal Code.

The allegation is regarding unknown miscreants having
arrived at the room of the informant where the informant and
others were residing and then the said miscreants had looted the
cash amount and mobile phone from the informant and his
companion.

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 10.03.2021.
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 moreover no looted
articles have been recovered from the possession of the petitioner
and he has been falsely implicated in the present case merely on



the confessional statement of the co-accused namely Dina @ Deepu. Lastly, it is submitted that though the petitioner is an accused in one other case but he is on bail in the said case.

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 and moreover no looted articles have been recovered from the possession of the petitioner herein, 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., Sherghati (Gaya) in connection with Sherghati P.S. Case No. 117 of 2021.

(Mohit Kumar Shah, J)

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