

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49234 of 2021**

Arising Out of PS. Case No.-580 Year-2020 Thana- BIDUPUR District- Vaishali

RAJA KUMAR @ RAJA SAH Son of Umesh Sah Resident of Village - Mile,
P.S.- Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 392 of the Indian Penal Code.

As per the prosecution case, three unknown accused persons on the point of pistol robbed the informant of his motorcycle and various other articles as given in the FIR.

It is submitted by learned counsel for the petitioner that the FIR was registered against three unknown accused persons. The name of the petitioner transpired in the confessional statement of co-accused Nitin Kumar Chaube made before police which is inadmissible. Further contrary to the allegations no incriminating article or motorcycle has been



recovered from the possession of the petitioner and even as per the prosecution case the alleged seizure took place behind the house of the petitioner from an open place. In spite of being in custody since 9.3.2021 and charge sheet having been submitted in the case, the petitioner has not been put on T.I. Parade and he has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner having remained in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Bidupur P.S. Case no. 580 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur.

(Partha Sarthy, J)

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