

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40171 of 2022**

Arising Out of PS. Case No.-384 Year-2021 Thana- AMARPUR District- Banka

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LALU KUMAR SINGH @ SHIVAM SON OF DEVENDRA SINGH @
DEVENDRA PD. SINGH Resident of Village- Laxmipur, P.S.- Banka,
District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 10-10-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Amarpur P.S. Case No. 384 of
2021 registered for the offence punishable under section 392 of
the Indian Penal Code.

As per the allegation on the alleged date and time
of occurrence the informant along with one person namely,
Vijay Paswan was riding on a motorcycle with Rs. 3,00,000/-
and on the way three miscreants riding on a motorcycle
forcefully stopped him and snatched away the said money from
his possession and thereafter the accused persons fled away with

snatched money and the key of informant's motorcycle.

The main submissions advanced by learned counsel Shri Ajay Mukherjee appearing for the petitioner are that the petitioner is not named in the FIR, his name surfaced in the present case in the statement of co-accused Arvind Kumar Yadav which was given before the police and the said Arvind Kumar Yadav had an inimical term with this petitioner, after the arrest the petitioner was not put on test identification parade and nothing incriminating material was recovered from his possession. Further submission is that there is criminal antecedent of three cases against the petitioner and the petitioner has got bail in the said antecedent cases.

Shri Shailendra Kumar, learned APP appearing for the State has opposed the prayer for bail.

Having considered the petitioner's the pleas that the petitioner's name came into light in the statement of co-accused Arvind Kumar Yadav and after petitioner's arrest the police failed to recover looted article from the possession of this petitioner and the said pleas have not been refuted by learned APP and the learned court below while rejecting the prayer of petitioner mainly relied upon the statement of said co-accused as well as an information of a spy of the police with regard to

the involvement of this petitioner and also considering the fact that investigation has been completed against the petitioner as appears from the order of learned court below, in the opinion of this Court the petitioner deserves to a lenient approach of this Court.

Let the petitioner 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 the Chief Judicial Magistrate, Banka/concerned Court, Banka in Amarpur P.S. Case No. 384 of 2021.

(Shailendra Singh, J)

Hassan/maynaz/-

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