

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49111 of 2021**

Arising Out of PS. Case No.-404 Year-2020 Thana- NAUBATPUR District- Patna

AKASH KUMAR Son of Sudhir Kumar Arti Resident of Village - Lai, P.S. -
Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

As per the prosecution case, on 05.08.2020 at 9.45 PM, while driver of the informant was returning on tractor after selling the sand, on the way, three bike borne miscreants intercepted him and thrashed his driver and took away his tractor.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the



confessional statement of co-accused, Sudhir Kumar. No looted vehicle has been recovered from the possession of the petitioner and till date the petitioner has not been put on Test Identification Parade. Similarly situated accused Rahul Kumar has already been granted bail by this court vide order dated 27.07.2021 passed in Cr. Misc. No. 24885/2021. Petitioner is in custody since 08.09.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-III, Danapur, Patna in connection with Naubatpur PS case No. 404/2020.

(Prabhat Kumar Singh, J)

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