

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43754 of 2022

Arising Out of PS. Case No.-105 Year-2021 Thana- RIVILGANJ District- Saran

Ranjan Kumar Singh @ Rajan Kumar Singh Son Of Sanjay Singh R/O
Village- Nikhti, P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2022 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
learned APP for the State.

Petitioner seeks regular bail in connection with
Rivilganj P.S. Case No. 105 of 2021 registered for the offence
punishable under Section 392 of the Indian Penal Code.

Allegedly, three accused persons riding on a
motorcycle forcefully stopped the informant's motorcycle and
put pistol at the neck of the informant and thereafter looted Rs.
43,785/- from his possession.

The main submissions advanced by learned counsel
Mr. Vijay Kumar appearing for the petitioner are that the



petitioner has been languishing in jail since 23.06.2021 without any legal evidence and after his arrest in the present case he was not put on Test Identification Parade and the police failed to recover any part of the looted money from the possession of this petitioner and accordingly there is no legal material against him to get connected with the alleged offence of loot.

Learned APP Mr. Dilip Kumar No. 1 appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR and the order impugned. Though the petitioner has criminal antecedent of five cases but as per the above submissions there is no legal material against the petitioner to connect him to the alleged offence of loot and it has been argued by the learned counsel for the petitioner that after the arrest of the petitioner police failed to recover any looted money from his possession and the petitioner was not put on Test Identification Parade. The said defence has not been refuted by the learned APP and the order of learned court below goes to show that while rejecting the petitioner's bail prayer the court below mainly placed reliance on the criminal antecedents of the petitioner. Considering these facts and mainly taking into account the petitioner's custody period, in the opinion of this Court the petitioner deserves to a



lenient approach of this Court. Accordingly, let the petitioner be enlarged 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 Court concerned in connection with Rivilganj P.S. Case No. 105 of 2021.

(Shailendra Singh, J)

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