

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51615 of 2021

Arising Out of PS. Case No.-524 Year-2019 Thana- BANKA District- Banka

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AMRIT KUMAR CHOUDHARY @ SHUBHAM KUMAR CHOUDHARY
S/o Shashi Bhushan Choudhary R/o Village- Siyadih, P.S.- Bath, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing for the State through

video conferencing.

Petitioner seeks regular bail in connection with Banka
(Barahat) P.S. Case No. 524/2019 registered for the offence
punishable under Section 392 of the Indian Penal Code 1860.

The allegation, as per the First Information Report, is
that while the informant was going on the Motorcycle of one of
his customer namely, Aga Devi, wife of Diwakar Singh, he was
intercepted by four miscreants riding on two Motorcycles who
snatched the Motorcycle, cash of Rs,19,000/-, two Samsung
Mobile Phones, Driving licence etc. from the informant.

Learned counsel for the petitioner submits that the



petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of confessional statement of co-accused Suresh Ojha and self inculpatory statement of the petitioner. Learned counsel further submits that the confessional statement of co-accused namely, Suresh Ojha, who happens to be the uncle (*Mausa*) of the petitioner with whom the family of the petitioner was having land dispute, was recorded after two years of the date of occurrence, i.e. on 21.6.2021. He next submits that the petitioner is a student and from perusal of his matriculation marks sheet it would be evident that he has secured 74 per cent marks in the Board examination. The petitioner is in custody since 26.6.2021, he has not been put on Test Identification Parade and no incriminating and/or looted property has been recovered from possession of the petitioner.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is a student and is in custody since 26.6.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.20,000/-
(Twenty thousand) with two sureties of the like amount each to
the satisfaction of learned Chief Judicial Magistrate, Banka, in
connection with Banka (Barahat) P.S. Case No. 524/2019.

(Anil Kumar Sinha, J)

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