

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43582 of 2022

Arising Out of PS. Case No.-218 Year-2020 Thana- BARHIYA District- Lakhisarai

Kanhaiya Kumar Son of Ramamurti Singh Resident of village - Jaitpur, P.s.-
Barahiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saket Tiwary, Advocate
	:	Mr. Anuraj Singh, Advocate
	:	Mr. Amritya Raj, Advocate
For the Opposite Party/s	:	Mr. Laxmi Kant Sharma, A.P.P.

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
Barhiya P.S. Case No. 218 of 2020 registered for the offences
punishable under Sections 395 and 412 of the Indian Penal
Code.

As per the prosecution, the informant was robbed by
some unknown miscreants on a gun point. Further it is alleged
that a sum of Rs. 6,000/- was snatched from the informant.

The main submissions advanced by learned counsel



Mr. Saket Tiwary for the petitioner are that the petitioner is not named in the FIR, his name transpired in the confessional statement of co-accused Manoj Kumar who has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 13137 of 2022 and after the petitioner's arrest in the instant case any looted article was not recovered from his possession and the co-accused Manoj Kumar revealed the name of this petitioner on account of some business dispute and against the petitioner the investigation has been completed and he has been languishing in jail since 18.05.2022.

Learned APP Mr. Laxmi Kant Sharma appearing for the State has opposed the bail prayer.

Having considered the petitioner's defence that his name surfaced in the alleged crime in the statement of co-accused Manoj Kumar who has been granted bail by a co-ordinate Bench of the Court in above-mentioned Cr. Misc. No. and according to petitioner's statement, after the petitioner's arrest the police failed to recover any looted article from his possession and the said defence has not been refuted by the learned APP and the order of Court below also goes to show that the petitioner was neither put on Test Identification Parade nor any looted article was recovered from his possession, in the



opinion of this Court a lenient approach can be taken in respect of petitioner’s prayer, 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 concerned Court in Connection with Barhiya P.S. Case No. 218 of 2020.

(Shailendra Singh, J.)

Prashant/-

U		T	
---	--	---	--

