

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46503 of 2022

Arising Out of PS. Case No.-373 Year-2019 Thana- BAKHTIYARPUR District- Patna

RAJ KUMAR SAW @ FEKU Son of Late Dev Narayan Saw Resident of
Village- Purani Bazar, P.S. Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Bakhtiyarpur P.S. Case No. 373/2019, registered for the offence punishable under Section 395 of the Indian Penal Code.

The case of the prosecution, in brief, is that unknown accused persons had arrived at the house of the informant and committed loot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 4.8.2021. The



learned counsel for the petitioner has further submitted that the FIR has been filed against unknown persons and the name of the petitioner has transpired in the present case, upon confessional statement made by the co-accused person, namely, Gautam Kumar, who has already been granted bail by a co-ordinate Bench of this Court, vide order dated 2.2.2021, passed in Criminal Miscellaneous No. 37130 of 2020. It is further submitted that though the petitioner is an accused in four other cases, but he is on bail in all the said four criminal cases. Lastly, it is submitted that no Test Identification Parade has been carried out so as to connect the petitioner with the alleged crime.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity



of the case of the petitioner with that of the co-accused person, namely, Gautam Kumar, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge V, Barh, Patna in connection with Sessions Trial No. 487/2022 arising out of Bakhtiyarpur P.S. Case No. 373/2019.

(Mohit Kumar Shah, J)

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