

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49297 of 2022

Arising Out of PS. Case No.-295 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. DILIP KUMAR @ DEELIP KUMAR S/o Nagendra Rai R/o village-
Bathuwahiya, P.S.- Darpa, District- East Champaran
 2. Pardeep Kumar S/o Yogendra Rai R/o village- Bathuwahiya, P.S.- Darpa,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2022 Heard Mr. Pravin Kumar, learned counsel for the

petitioner and Mr. Mritunjay Kumar Nirala, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Muffasil/Lakhaura P.S. Case No. 295 of 2021 registered for the

offence punishable under Section 392 of the Indian Penal Code

1860.

As per the First Information Report, while the

informant was coming from his home on his Motorcycle, he was

intercepted by four unknown miscreants, who on the gun point,

snatched Mobile phone, his Motorcycle etc.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with a *mala fide* intention. He further submits that the petitioner is not named in the First Information Report and he has been implicated in this case on the basis of confessional statement of the petitioner recorded in Darpa P.S. Case No. 97 of 2021. Learned counsel also submits that no incriminating material and/or looted article has been recovered from possession of the petitioner and the petitioner has not been put on Test Identification Parade as yet. The petitioner is in custody since 12.7.2021 and charges have been framed against the petitioner.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 12.7.2021, charges have been framed against him and he is not named in the First Information Report and no incriminating material and/or looted article has been recovered from his possession, 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.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Motihari, East Champaran, in connection with Muffasil/Lakhaura P.S. Case No. 295 of 2021 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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