

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60194 of 2021

Arising Out of PS. Case No.-111 Year-2021 Thana- BARARI District- Katihar

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1. UTTAM KUMAR Son of Kailash Yadav Resident of Village - Modichak, P.s.- Barari, Distt.- Katihar.
 2. GOURAV KUMAR Son of Surendra Yadav @ Bucho Yadav Resident of Village - Ranichak Bakia, P.S.- Barari, Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-03-2022 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Barari P.S. Case No. 111/2021, registered for the offence punishable under Section 392 of the Indian Penal Code.

The allegation is regarding three unknown miscreants having waylaid the petitioner, whereafter they are alleged to have snatched his motorcycle on gun point and had then fled away.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they



have been falsely implicated in the present case and they are languishing in custody since 26.6.2021. The learned counsel for the petitioners has further submitted that no recovery of the looted motorcycle has been made from the petitioners and moreover, no Test Identification Parade has been held so as to connect the petitioners 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 petitioners and taking into account the materials available on record as also considering the fact that neither the stolen motorcycle has been recovered from the possession of the petitioners nor Test Identification Parade has been held so as to connect the petitioners with the alleged crime, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named



petitioners are directed to be enlarged on bail on
furnishing bail bonds of Rs. 10,000/- (rupees ten
thousand) each with two sureties of the like
amount each to the satisfaction of learned ACJM III,
Katihar in connection with Barari P.S. Case No. 111
of 2021.

(Mohit Kumar Shah, J)

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