

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61562 of 2021

Arising Out of PS. Case No.-255 Year-2019 Thana- SHAMBHUGANJ District- Banka

ARUN KUMAR Son of Sanjay Yadav Resident of Village - Naya Tola
Jurabganj, P.S.- Kodha, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-04-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Shambhuganj PS case no. 255 of 2019 instituted for the
offences punishable under Section 392 of Indian Penal Code.

The allegation is regarding two unknown
miscreants having intercepted the informant and her husband,
whereafter they are stated to have snatched a bag from them
containing a sum of Rs. 50,000/-.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case and is languishing in custody
since 06.01.2020. The learned counsel for the petitioner has
further submitted that neither any Test Identification Parade has



been held so as to connect the petitioner with the alleged crime nor the looted cash amount has been recovered from the petitioner herein. It is also submitted that the petitioner was arrested by the police in connection with one Rajaon PS case no. 516 of 2019, in which his confessional statement was recorded, which has got no evidentiary value in the eyes of law and then, he has been falsely implicated in the present case.

Per contra, the learned A.P.P. 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 parties and taking into account the materials available on record as also considering the fact that neither any Test Identification Parade has been held till date so as to connect the petitioner with the alleged crime nor the looted cash amount has been recovered from the petitioner, apart from the fact that the petitioner is languishing in custody since about more than two years, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the



satisfaction of learned court of Chief Judicial Magistrate, Banka
in connection with Shambhuganj PS case no. 255 of 2019.

(Mohit Kumar Shah, J)

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