

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70585 of 2021**

Arising Out of PS. Case No.-182 Year-2019 Thana- SHAMBHUGANJ District- Banka

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RUPESH KUMAR DAS @ RUPESH KUMAR Son of Kapil Das @
Kapildeo Das Resident of Village- Dharmpur, P.S.- Shambhuganj, District-
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 09-06-2022 Heard.

The petitioner seeks regular bail in connection with Shambhuganj P.S. Case No. 182 of 2019, registered for the offence punishable under sections 392/34 of the Indian Penal Code.

The allegation is regarding two unknown persons having intercepted the informant and snatched a sum of Rs. 1,15,770/- and a hand bag containing important papers.

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 10.09.2021. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other cases, but he is on bail in the said two cases. It is also submitted that neither any Test



Identification Parade has been held till date nor any recovery has been made from the conscious possession of the petitioner so as to connect the petitioner with the alleged crime, nonetheless the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of regular bail.

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 parties and taking into account the materials available on record as also considering the fact that neither Test identification Parade has been held till date nor any looted amount has been recovered from the conscious possession of the petitioner, though, I deem it fit and proper to admit the petitioner to the privilege of regular bail, but subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate-IV/ Court concerned, Banka in connection with Shambhuganj P.S. Case No. 182 of 2019.

It is further directed that the petitioner would mark his attendance before the S.H.O. of the concerned



police station at 10 A.M. on each and every Monday of the week and in the event of his failure on two consecutive occasions to mark his attendance, the present privilege of bail shall stand revoked automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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