

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14797 of 2023

Arising Out of PS. Case No.-540 Year-2021 Thana- JAGDISHPUR District- Bhojpur

Riju Nat @ Raju Nat, Son of Kanhiya Lal Nat @ Kanhiya Nat, R/O Vill.-
Brahmpur, P.S.- Brahmpur, District.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore(APP-100)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 21-06-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Jagdishpur P.S. Case No. 540 of 2021 dated 24.12.2021 registered for the offence punishable under Section 392 of the Indian Penal Code.
3. This is a second attempt of the petitioner for the relief of regular bail after the petitioner's earlier attempt for the same relief was rejected by this court vide order dated 19.07.2022 passed in Cr. Misc. No. 19691 of 2022 preferred by this petitioner and now the petitioner has come again for the same relief by filing the instant petition.
4. As per allegation, three accused persons riding on a motorcycle snatched away a bag, mobile phones, ID card,



driving license, cash of Rs. 22000/- etc. from the possession of the informant when he was returning his home after performing his duty.

5. The main submissions advanced by learned counsel for the petitioner are that the petitioner's earlier bail prayer was rejected on 19.07.2022 and thereafter no progress in his case has taken place and even charge has not been framed upon him till date and the alleged offences are triable by the court of 1st Class Magistrate and in this regard this court has called for the report from the trial court which has been received. It is further submitted that though as per the prosecution some looted articles are stated to have been recovered from the possession of this petitioner but the said articles were not put on test identification parade so the said incriminating evidence is not admissible against him and the petitioner's name came into light in the confessional statement of co-accused namely Bihari Chaudhary @ Vikash Chaudhary and he has been languishing in jail since 01.01.2022.

6. Learned APP appearing for the State opposes the bail prayer.

7. Though there is a serious allegation against this petitioner but considering his custody period which has been



about one year and five months and also the stage of his case, in the opinion of this court, the petitioner now deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Jagdispur P.S. Case No. 540 of 2021.

(Shailendra Singh, J)

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