

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26164 of 2023**

Arising Out of PS. Case No.-367 Year-2020 Thana- BODHGAYA District- Gaya

BIRENDRA KUMAR @ MUTUR SON OF LATE RAMDEV YADAV R/O
VILLAGE- TURI, P.S.- BODH GAYA, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR
Party/s

... .. Opposite

Appearance :

For the Petitioner/s : Mr.Abhitabh Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in connection with Bodh Gaya P.S. Case No. 367 of 2020 dated 13.10.2020 registered for the offences punishable u/s 392 of the Indian Penal Code.

As per the prosecution case, when the informant was returning to his village on his bike from the shop, four unknown miscreants stopped him near Triraj Cold Storage and snatched his motorcycle, vivo mobile and also Rs. 3200/- in cash from the dicky of his motorcycle and they fled away from the place of occurrence.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of co-accused namely Satendra Kumar @ Kallu. The petitioner has got two other cases as stated in para 3 of the bail petition. The petitioner is in custody since 18.10.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bodh Gaya, District Gaya in connection with Bodh Gaya P.S. Case No. 367 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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