

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35187 of 2022

Arising Out of PS. Case No.-198 Year-2021 Thana- DESARI District- Vaishali

AMIT KUMAR Son of Deosharan Singh Resident of Village - Panapur
Silauthar, P.S.- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Desari (Sahdei O.P.) P.S. Case No. 198/2021, registered for the offence punishable under Section 392 of the Indian Penal Code.

The allegation is regarding unknown miscreants having intercepted the informant, whereafter they had looted a sum of Rs. 42, 660/-, photo ID and other articles from the informant on gun point.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is



having a clean antecedent and he is languishing in custody since 8.3.2022. 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 any recovery of the looted cash amount has been made from the possession of the petitioner and the petitioner has merely been implicated in the present case, upon confessional statement made by the co-accused person, namely, Ranvir Kumar, who has already been granted bail by the learned court below.

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 petitioner and taking into account the materials on record as also considering the fact that no Test Identification Parade has been held till date so as to connect the petitioner with the alleged



crime and moreover, no looted cash amount has been recovered from the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Desari (Sahdei O.P.) P.S. Case No. 198 of 2021.

(Mohit Kumar Shah, J)

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