

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40855 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- AIRPORT District- Patna

SHIVENDU KUMAR S/o Sanjay Kumar Sah Resident of Kautilya Nagar
East of A.G. Colony, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate Mr. Uday Pratap Singh, Advocate Mr. Rakesh Bihari Sharan, Advocate
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-01-2023 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 393 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that two persons on two motorcycles over-took his tractor and on the point of pistol started making demand of money. At this very time the police personnel reached there. As a result of the railway ‘gumti’ being closed, one of them was caught and a pistol was recovered from his possession. He disclosed that the person who had managed to escape was the petitioner.



It is submitted by learned counsel for the petitioner that the petitioner was not caught at the place of occurrence nor any incriminating article recovered from his possession. He has been falsely implicated in the case. He is in custody since 15.5.2022 but has not been put on T.I. Parade. Charge-sheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner not being arrested at the spot, not being put on T.I. Parade in spite of being in custody for 8 months since 15.5.2022 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Hawai Adda P.S. Case no. 77 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- XI, Patna.

(Partha Sarthy, J)

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