

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40787 of 2022

Arising Out of PS. Case No.-950 Year-2021 Thana- MADHEPURA District- Madhepura

GUDDU KUMAR S/O SIYALAL YADAV Resident of Village- Budhma,
Lakharaj, P.S.- Madhepura (Bharrahi), District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pooja Kumari, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Madhepura (Bharrahi) P.S. Case No. 950 of 2021 for the offence registered under Section 392 of the Indian Penal Code.

The allegation is regarding four unknown miscreants having arrived from behind and pushed the motorcycle of the informant while the informant was travelling on his motorcycle and had reached near the Mahabir Mandir at Rajpur on National Highway-107, resulting in him falling down, whereafter the said miscreants had snatched the bag of the informant containing



various documents and a sum of Rs. 2,50,000/- and then they had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 11.04.2020. It is further submitted that 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 so as to connect the petitioner with the alleged crime nor any looted articles/cash amount has been recovered from the possession of the petitioner, hence, the petitioner is not having any complicity in the matter.

Per contra, the learned A.P.P. 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 available on record, apart from the fact that



neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any looted articles/cash amount has been recovered from the possession of the petitioner, this Court finds that the petitioner is prima facie not having any complicity in the alleged occurrence, hence, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned C.J.M., Madhepura in connection with Madhepura (Bharrahi) P.S. Case No. 950 of 2021.

(Mohit Kumar Shah, J)

S.Sb/Saurav

U		T	
---	--	---	--

