

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44678 of 2022

Arising Out of PS. Case No.-63 Year-2022 Thana- GOVINDPUR District- Nawada

BALAM KUMAR Son of Sri Rajendra Choudhary Resident of village-
Dahariya Bigha, P.S- Bodhgaya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Anand,Adv. Ms. Shweta Anand,Adv.
For the Opposite Party/s :		Mr. Akbar Ali,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 31-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State,
Mr.Akbar Ali.

The petitioner seeks regular bail in connection with Gobindpur P.S. Case No.63 of 2022, registered for the offence punishable under Section 392 of the Indian Penal Code.

The case of the prosecution according to the informant is that four unknown persons had intercepted him and snatched his gold chain and motorcycle, as also they had snatched silver chain, mobile phone and cash amount of Rs.45,000/- along with other items from the brother of the informant, whereafter, the said miscreants 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, he is having a clean antecedent and he is languishing in custody since 15.04.2022. 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 looted articles have been recovered from the petitioner and the mobile stated to have been recovered from him is his own, as has been stated in paragraph no. 9 of the present petition. It is also submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 19.10.2022, passed in Criminal Miscellaneous No.43323 of 2022.

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 available on record as also considering the fact that no test identification parade has been held, so as to connect the petitioner with the alleged crime, and moreover similarly situated co-accused person has been granted privilege of bail by a co-ordinate Bench of this Court, 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., Nawada in connection with Gobindpur P.S. Case No. 64 of 2022.

(Mohit Kumar Shah, J)

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