

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49096 of 2023**

Arising Out of PS. Case No.-431 Year-2021 Thana- BIDUPUR District- Vaishali

SHIVJEE RAM @ CHHOTU KUMAR S/O LATE SHIVCHANDRA DAS
R/O Village- Nawa Nagar (Mayaram Pethiya), P.S- Bidupur, Distt. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar

For the Opposite Party/s : Mr.Abhay Kumar

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

ORAL ORDER

- 2 04-08-2023 1. 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.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Bidupur P.S. Case No. 431 of 2021 dated 02.09.2021 registered for the offences punishable u/ss 392, 412 and 395 of the Indian Penal Code.
4. As per the prosecution case, this petitioner along with other accused persons is alleged to have looted mobile



phone and motorcycle on the point of pistol.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. The name of the petitioner has surfaced in this case only on the confessional statement of the other accused person. The learned counsel further submitted that no T.I.P. has been done by the prosecution. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 26.05.2022 passed in Cr. Misc. No. 3024 of 2022. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition. The petitioner was remanded in this case from Bidupur P.S. Case No. 527 of 2021 on 14.12.2021.

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

7. 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, Vaishali at Hajipur in connection with Bidupur P.S.
Case No. 431 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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