

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53728 of 2022

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

Laltu Kumar S/O Chandeshwari Yadav @ Chandra Kishore Yadav, resident of
Village- Bhadaul, P.S.- Madhepura (Bharrahi), District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-02-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

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

The informant has alleged that on 04.12.2021, at about 4.30 pm, while he was going to Madhepura on his motorcycle along with his two friends, who were travelling on another motorcycle and had reached near the Mahavir Mandir at Rajpur road on N.H.-107, suddenly, four persons



riding on two motorcycles had come from behind and dashed the motorcycle of the informant resulting in him falling on the ground, whereafter they had, on pistol point, snatched a bag from the possession of the informant wherein OMR sheets, cheque books, documents, cash to the tune of Rs.2,50,000/- and some other articles were kept, and then 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, and he is languishing in custody since 05.05.2022. The learned counsel for the petitioner has further submitted that neither any test identification parade has been conducted till date, so as to connect the petitioner with 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 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 conducted so as to connect the petitioner with alleged crime, apart from the fact that no recovery of the looted articles/cash amount has been made from the possession of 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura (Bharrahi) P.S. Case No.950 of 2021.

(Mohit Kumar Shah, J)

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