

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67586 of 2022

Arising Out of PS. Case No.-155 Year-2020 Thana- KARJA District- Muzaffarpur

Shushil Kumar Son of Sohan Ray Resident of village - Narullahpur, P.S.-
Kanti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with Karja
P.S. Case No. 155 of 2020 registered for the offence punishable
under Section 395 of the Indian Penal Code.

As per the prosecution, the informant alleged that five
unknown miscreants on two motorcycles came at the petrol
pump where he and one Nazol man namely Sanjay Kumar were
working and on the strength of pistol looted a cash of Rs.
32846/- and also snatched a Chinese mobile from Sanjay Kumar.
It is further alleged that on protest, the miscreants assaulted the
informant.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is not named in



the FIR, though as per prosecution he and other co-accused persons were identified by police spy with the help of CCTV footage of the camera installed near the place of occurrence but petitioner was not put on test identification parade after his arrest and during the investigation, name of this petitioner came into light in the statement of co-accused Babu Lal Kumar @ Lalbabu @ Shahil, who has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 20646 of 2021. Further submissions are that similarly situated co-accused Manish Kumar has also been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 33394 of 2021 and the petitioner has been languishing in jail since 22.08.2022, there is no legal evidence against him to connect him with the alleged occurrence and he has fair and clean antecedent and against him the investigation has been completed.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly considering the petitioner's fair and clean antecedent and the privilege of bail having been granted to above-mentioned co-accused persons and also taking into account petitioner's



custody period and stage of his case, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner 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 the concerned Court in connection with Karja P.S. Case No. 155 of 2020 .

(Shailendra Singh, J)

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