

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61371 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- KATIHAR NAGAR District- Katihar

SHIVAM KUMAR PODDAR @ SHIBU @ SHIVAM KUMAR S/O
MUNNA PODDAR Resident of Hawaii Adda, P.S.- Sahayak, District-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Katihar Town (Sahayak) P.S. Case No. 71 of 2022, registered for the offence punishable under Sections 392 and 411 of the Indian Penal Code.

The allegation is regarding two unknown miscreants having intercepted the informant while he was travelling along with his cousin brother on his motorcycle, on the alleged date and time of occurrence, on pistol point, whereafter, they had looted the motorcycle and mobile sets from the possession of the informant



and his cousin brother, whereupon 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, he is having a clean antecedent and he is languishing in custody since 24.3.2022. The learned counsel for the petitioner has further submitted that no Test Identification Parade has been conducted so as to connect the petitioner with the alleged crime.

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 the alleged crime, 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, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 71 of 2022.

(Mohit Kumar Shah, J)

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