

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61338 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- SITAMARHI District- Sitamarhi

RANVIR KUMAR @ RANVIR SINGH S/O SRI VINAY KUMAR SINGH
Resident of Village- Sheikhpur Akhara Ghat, P.S.- Ahiyapur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Sitamarhi (Mehsaui) P.S. Case No. 84 of 2022, registered for the offence punishable under Sections 328, 307 and 379 of the Indian Penal Code.

The informant is stated to have got down from the train at Sitamarhi Railway Station while he was coming from Assam and then, he was called by some unknown persons, outside the Railway Station, who had told him that they were his co-villagers and would drop him at his village, whereupon the accused persons had made the



informant sit in the car in question along with his belongings, however, on the way, they had looted his articles and ATM card and subsequently, a sum of Rs. 3,00,000/- was withdrawn from the ATM by using the ATM card of the informant.

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 19.8.2022. The learned counsel for the petitioner has further submitted that only because the petitioner has been found using the mobile phone of the informant, he has been implicated in the present case, however, the fact is that he had purchased a second hand mobile phone, being ignorant of the fact that the said mobile is a stolen mobile. It is also submitted that in case, the petitioner had known that the mobile phone in question is a stolen mobile, he would not have talked to the informant or for that matter with the police, who had been repeatedly calling the petitioner on the said



mobile phone. Lastly, it is submitted that no recovery has been made from the petitioner as far as cash amount, ATM card and other articles are concerned, apart from the fact that no Test Identification Parade has been held 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 neither any Test Identification Parade has been held so as to connect the petitioner with the alleged crime nor any looted articles, apart from mobile phone nor any cash amount has been recovered from the petitioner and moreover, the petitioner is stated to be having a clean antecedent, 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, Sitamarhi in connection with Sitamarhi (Mehsaul) P.S. Case No. 84 of 2022.

(Mohit Kumar Shah, J)

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