

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66198 of 2022

Arising Out of PS. Case No.-101 Year-2022 Thana- BELDOUR District- Khagaria

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PRADEEP KUMAR @ PRADIP KUMAR Son of Bijendra Sah @ Vijali Sah
@ Bijali Sah R/v- Bharpura, P.S.- Simri Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-03-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Beldour P.S. Case No.101 of 2022 registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

As per the prosecution, the informant alleged that six unknown miscreants by brandishing their weapons looted the alleged vehicle, mobile phones, some cash and other incriminating articles from the victim.



The main submissions advanced by the learned counsel for the petitioner are that the petitioner has been made accused mainly on the basis of statement of co-accused Suman Kumar given before the police and except this there is no any other material against him and the said Suman Kumar has been granted bail by a Co-ordinate Bench of this Court vide order passed in Cr. Misc. No.66387 of 2022 and after his arrest no incriminating material was recovered from his possession as it is evident from the seizure list itself and the FIR was lodged against unknown persons and against the petitioner there is criminal antecedent of one case and he is a student making preparation for competitive examination. Further submission is that the petitioner has been languishing in jail since 29.07.2022 and against him the investigation has been completed and he suffers from disability due to deformity in his right ankle and foot and in this regard his disability certificate has been filed as Annexure-2.

Learned APP appearing for the State has opposed the bail prayer but fairly accepted that against the petitioner there is no material except the statement of co-accused Suman Kumar.

In view of the facts, as stated above, and mainly considering the petitioner's custody period and his academic



carrier and the privilege of bail having been granted to co-accused Suman Kumar who revealed the name of this petitioner in his statement given before the police as per above submission and against the petitioner the investigation has been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, 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 Beldour P.S. Case No.101 of 2022.

(Shailendra Singh, J)

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