

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65436 of 2022**

Arising Out of PS. Case No.-27 Year-2017 Thana- MOKAMAH District- Patna

BITTU KUMAR S/o Muneshwar Ray R/v- Chhedi Singh Tola, Usmanpur,
P.S.- Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 23-03-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Mokama P. S. Case No. 27 of 2017 registered for the offence punishable under Section 395 of the Indian Penal Code.

As per the prosecution case, the informant along with his father and the driver was going to Samastipur by his car. When they reached near zero mile Mokama, six to seven



miscreants holding *lathi* and *danda* intercepted the car and started assaulting the informant with *lathi* and *danda* and miscreants snatched Rs. 5,000/- in cash and other belongings from the informant and Rs. 4,000/- and one mobile were also snatched from his father. It is further alleged that the miscreants broke the glass of the car due to which the driver sustained injury.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. The petitioner is not named in the F.I.R. The name of the petitioner is surfaced during the course of investigation. No incriminating material has been recovered from the conscious possession of the petitioner. No test identification parade has been conducted by the prosecution. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.08.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Barh, Patna in connection with Mokama P. S. Case No. 27 of 2017.

The application stands allowed.

(Chandra Prakash Singh, J)

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