

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74287 of 2023

Arising Out of PS. Case No.-206 Year-2022 Thana- SARAI RANJAN District- Samastipur

AADARSH KUMAR @ DIPAK Son of Baijnath Ray @ Baidyanath Rai R/o
vill - Baruna Rasalpur Tole, Jan Mahmadpur, P.S. - Sarairanjan, Distt. -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in
connection with Sarairanjan P.S. Case No. 206 of 2022
registered on 05.08.2022 for the alleged offences under Section
392 of the Indian Penal Code.

3. As per prosecution case, three miscreants on two
motorcycles rammed the bike of the informant and at gun point
they snatched his gold chain, rings and wrist watch. After
checking the footage of a CCTV camera, it was found that
petitioner was one of the miscreants.

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this



case. The name of the petitioner has been disclosed by persons merely on suspicion after seeing the CCTV footage. Nothing incriminating has been recovered from conscious possession of the petitioner who has not been put to any test identification parade. Petitioner is in custody since 03.08.2023 and charge-sheet has been submitted. The petitioner has been made accused in three other cases but he is on bail in all such cases.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that nothing incriminating has been recovered from the possession of the petitioner who was not put to any test identification parade and considering his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Samastipur in connection with Sarairanjan P.S. Case No. 206 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Adnan/-

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