

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75063 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- HATHAURI District- Muzaffarpur

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Gaurav Kumar, son of Laxmi Nandan Singh,
resident of vilalge- Athari, P.S. Runnisaidpur, District- Sitamarhi
... .. Petitioner/s

Versus

The State Of Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Smt. Meena Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Hathauri P.S. Case No. 54 of 2018 registered for the offences punishable under Section 392 of the Indian Penal Code.

Informant has alleged that on 12.04.2018 while he was performing his duty in Customer Service Center of H.D.F.C., three unidentified miscreants on a motorcycle without number came and took away 3,61,000/- and fled away. Informant has claimed that he can identify the miscreants who had looted the money.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case only on the basis of confession made by co-accused Abhishek Chandra @ Chhote Sahaeb and except confession there is no any other incriminating material



found against petitioner. Petitioner has been remanded in this case on 06.07.2018. Chargesheet has already been submitted under Section 392 of the Indian Penal Code against the petitioner although informant has stated that he can identify the culprits but no T.I.P. was made.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge 10th -cum- Additional Judicial Magistrate, Muzaffarpur, in connection with Hathauri P.S. Case No. 54 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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