

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5650 of 2019

Arising Out of PS. Case No.-127 Year-2018 Thana- PATAHI District- East Champaran

Jitendra Kumar, aged about 22 years (Male) Son of Ashok Raut, Resident of
Village - Ganga Pipar, P.S. Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Patahi P.S. Case No. 127 of 2018 corresponding
to G.R. No. 4026 of 2018, registered for the offence punishable
under Section 394 of the Indian Penal Code.

Informant has alleged in his written complaint that
on 22.06.2018 at about 3:00 P.M. he was returning back to
home after withdrawing a sum of Rs. 2 lacs and while in his
way three miscreants borne on one motorcycle assaulted him
and on strength of arms snatched away 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. F.I.R. is against unknown. The
name of petitioner has been implicated in this case on the basis
of confessional statement made by co-accused Arun Mishra and



except said confession there is no any other incriminating materials against the petitioner. Petitioner has not been put on T.I.P., nor anything has been recovered from his possession and he has been remanded in this case on 12.09.2018 in Dhaka (Pach Pakari O.P.) P.S. Case no. 263 of 2018.

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 A.C.J.M.-VIII, Motihari, East Champaran, in connection with Patahi P.S. Case No. 127 of 2018 corresponding to G.R. No. 4026 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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