

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10579 of 2019

Arising Out of PS. Case No.-898 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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ADARSH KUMAR, aged about 19 years (Male) Son of Late Suresh Prasad Singh, Resident of Mohalla- Shramjivi Nagar, Bhagwanpur, P.S.- Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 05-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sadar P.S. Case No. 898 of 2018 registered for the offences punishable under Section 392 of the Indian Penal Code.

Informant has alleged that while he was on his Scorpio vehicle on 20.11.2018 at about 9:20 P.M. the road was damaged and four miscreant riding on two motorcycles on the strength of arms looted his vehicle and mobile and he has named three accused in his FIR and one was unknown. It has been submitted that during investigation the unknown accused was identified as Md. Akib Javed who has confessed



his involvement in this crime and named petitioner as one of accomplice.

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. It has been submitted that similarly placed co-accused Akib Javed has been granted bail by co-ordinate bench of this court vide order dated 05.03.2019 passed in Cr. Misc. No. 13221 of 2019. Petitioner is in custody since 27.11.2011.

Considering the aforesaid facts 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 Chief Judicial Magistrate, Muzaffarpur, in connection with Sadar P.S. Case No. 898 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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