

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8928 of 2019

Arising Out of PS. Case No.-125 Year-2017 Thana- SAHARSA District- Saharsa

PRAMOD KUMAR @ PRAMOD DAS @ PRAMOD KR. DAS aged about
25 years Male, Son of- Satyadev Das Resident of village-Kahara, Ward No.-
11, PS Saharsa Sadar, District Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Amarendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 01-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Saharsa Sadar P.S. Case No. 125 of 2017** registered for the offence punishable under Sections 394 of the Indian Penal Code and subsequently Section 395 and 412 of the IPC were added.

Informant in his written complaint has alleged that in the night of 12.02.2017 while he along with brother was sleeping in his room, two unknown miscreants entered and overpowered them on the strength of pistol and knife and snatched his mobile and Rs. 150/- cash and also looted ornaments of Rs. 1 Lac including T.V and laptop and fled away.

It has been submitted on behalf of the petitioner that that petitioner is not named in the FIR. FIR is against unknown.



It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Md. Haider Ali, who confessed his guilt regarding committing of robbery along with Sikandar, Kishore Sharma, Khurshid, Firoz and Pramod and he also confessed that he sold one mobile to Md. Moinuddin and thereafter that mobile was recovered from Md. Doud, who is brother-in-law of Md. Moinuddin except the purchasing of the robbed mobile by Md. Moinuddin and handing over the same to Md. Doud, nothing has been collected against the petitioner to show his involvement in the present case. TIP has not been conducted till date. Petitioner is in custody since 11.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Judicial Magistrate-Saharsa** in connection with **Saharsa Sadar P.S. Case No. 125 of 2017**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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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