

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13204 of 2019

Arising out of PS. Case No.-86 Year-2018 Thana- AURAI District- Muzaffarpur

CHHOTU SINGH @ CHHOTAN SINGH @ RITESH KUMAR SINGH @
RITESH KUMAR Son of Late Vindhyachal Singh, Resident of Village-
Kuama, P.S.-Piparahi, District-Sheohar-843325.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Rajeev Nayan (3501)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Aurai P.S. Case No. 86 of 2018 registered for the offence punishable under Sections 392/34 of the Indian Penal Code. Subsequently, Sections 395 & 397 IPC was added.

Informant has alleged that while he was going to Sitamarhi after dropping the relatives of the owner of the Scorpio vehicle in midway four miscreants on two bikes intercepted him and took away the Scorpio and also threw bomb upon him.

It has been submitted on behalf of the petitioner that F.I.R. is against unknown and the name of the petitioner has surfaced in this case



on the basis of confessional statement made by co-accused Bittu Kumar Singh and except the said confessional statement, there is no other incriminating material against the petitioner. It has further been submitted that nothing has been recovered from the possession of the petitioner and he is in custody since 07.08.2018. It is further submitted that similarly situated co-accused persons have already been granted bail vide orders dated 30.12.2018 and 02.01.2019 passed in Criminal Misc. Nos. 70580 of 2018 and 77661 of 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 A.C.J.M.-XIV, Muzaffarpur in connection with Aurai P.S. Case No.86 of 2018, 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 absence on two consecutive dates without sufficient reason, 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.

(Mohit Kumar Shah, J)

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