

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12632 of 2019

Arising Out of PS. Case No.-266 Year-2018 Thana- UJIYARPUR District- Samastipur

HEMANT KUMAR SINGH @ GOLU, aged about 23 years, Male, Son of
Late Shambhu Singh, Resident of Village- Kanpurigram, Police Station-
Samastipur Muffasil, District- Samastipur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Tej Narayan Singh, Adv.

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
17.12.2018 in connection with Ujiarpur P.S. Case No. 266 of
2018 for the offences alleged under Sections 379 and 34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant,
who is working as DBO in branch office of Bandhan Bank,
Ujiarpur, is that while he along with the Manager and Regional
Manager had gone to the field and was returning after collecting
Rs.96,540/- in a bag, three persons came from the opposite
direction and snatched the bag containing money.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the first information
report and has been falsely implicated in the aforesaid case. He



submits that no test identification parade has been done and his name surfaced only on the basis of the confessional statement of the co-accused and some of the co-accused have already been granted the privilege of bail by the lower Court below. He submits that after the present case, he has been involved in two more cases of similar nature and is languishing in judicial custody since more than two months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and two more cases of similar nature are pending against him.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail, **on completion of four months in custody**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Ujiarpur P.S. Case No. 266 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(ii) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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