

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34406 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

Abhishek Kumar Son of Sri Nitesh Kumar Resident of Chakkaji Nizam, P.S.-
Mahua, District- Vaishali ... Petitioner

Versus

The State of Bihar . Opposite Party

Appearance :

For the Petitioner : Mr.Krishna Kant Singh, Advocate
For the State : Mr.Mohammad Sufyan, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-10-2019 Heard learned counsel for the parties and perused the
case diary.

Petitioner is an accused in a case registered for the
offence punishable under sections 395/397 of the Indian Penal
Code.

Prosecution's case is that five miscreants committed
bank robbery and took away gold kept in the strong room of the
bank, two lacs cash and mobile phones with them. A part of the
stolen property has been recovered from the petitioner's house.

Learned counsel for the petitioner submits that the
FIR is against unknown and petitioner's name has come in the
case on the confessional statements of co-accused Subhash
Kumar Jha and Alok Kumar and during investigation, except the
aforesaid recovery, no other evidence regarding entering into the
bank premises and committing the robbery, has come against the



petitioner. Petitioner also disputes the seizure and submits that he is an student and has falsely been implicated in this case. He is in custody since 11.2.2019.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in Sadar Police Station Case No. 100 of 2019 on the following conditions:-

(1) 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.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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