

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38484 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- GOPALPUR District- Patna

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RANDHIR KUMAR @ LAMBU, aged about 20 years, male, Son of Ashok Rai @ Ashok Ray, Resident of Village- Bandothpar, Police Station- Gaurichak, District- Patna. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-07-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 12.03.2019 in Criminal Miscellaneous No. 10288 of 2019.

Petitioner seeks bail in **Gopalpur P.S. Case No. 76 of 2018 (GR No. 2307 of 2018)** registered for the offence punishable under Section 394 of the Indian Penal Code.

Informant in his written complaint has alleged that he was possessing packet containing ornaments and cash and when reached near village Abdulla Chak, godown of Haldiram at about 10:25 pm two Scooty riders stopped him and on the strength of pistol snatched the packet, his mobile along with his motorcycle and assaulted him with the butt of pistol over his head.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Petitioner is not named in the FIR and petitioner has not been put on TIP till date. No incriminating material has been recovered from the possession of the petitioner. It has further been submitted that during trial the Informant was examined as PW-1 but he did not identify the petitioner. Petitioner has got no criminal antecedent and is in custody since 27.09.2018.

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 court below where the case is pending, in connection with **Gopalpur P.S. Case No. 76 of 2018 (GR No. 2307 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/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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