

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50388 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- BARAUNI District- Begusarai

Jitendra Kumar @ Biro @ Biru, aged about 30 years, Male, Son of Arun Singh R/o Village- Binat Tolla Asrahpur, P.S.- Barauni, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Chandan Kumar Kashyap, Advocate

For the Opposite Party : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-11-2019 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and perused the case diary.

The petitioner is in custody in connection with Barauni P.S.Case No.09 of 2019 registered for an offence under Section 396 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the informant alleges that this petitioner and other accused persons assaulted the husband of the informant by means of butt of the pistol and snatched bag which contains money and a mobile.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR and his name has transpired on the basis of confessional statement of co-accused Aman Kumar and no any incriminating article has been recovered from the possession of the petitioner. It is also submitted that similarly situated co-accused person has already



been granted bail by a coordinate Bench of this Court in Cr.Misc.No.57794 of 2019 dated 16.10.2019. Petitioner is in custody since 19.01.2019 and chargesheet has already been submitted.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S.Case No.09 of 2019 with following conditions:-

(i) Petitioner shall cooperate 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.

(ii) If the petitioner tamper 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.

(Prabhat Kumar Singh, J)

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