

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52306 of 2019

Arising Out of PS. Case No.-337 Year-2017 Thana- KHAGARIA District- Khagaria

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SUBHAM KUMAR Son of Arun Kumar @ Arun Kumar Roy Resident of
Village-Sadipur Diyara, P.S.-Baliya, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 394 of the Indian Penal Code.

Informant in his written complaint has alleged that on 28.04.2017 at about 7:45 pm while he was going to his *sasural* one person stopped him and asked him to give lift as petrol of his vehicle was finished, and thereafter he permitted him to sit on his motorcycle, and as he proceeded two motorcycle borne miscreants came there and intercepted him. One of them assaulted him on his head with rod and other was armed with pistol. All the three miscreants took away his motorcycle along with mobile, cash of Rs. 32,000/-, ATM and Driving Licence.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. It has been further submitted on behalf of the petitioner that only evidence which has come against the petitioner is that on the looted mobile, SIM in the name of petitioner was being used. Petitioner has got no criminal antecedent and is in custody since 04.07.2019.

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 **Khagaria (Mufassil) P.S. Case Number-337 of 2017**, 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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