

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74023 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- BIHRA District- Saharsa

PRINCE KUMAR Son of Krishna Kumar Yadav Resident of Village -
Khonha, P.S.- Bihra, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Bihra P. S. Case No. 6 of 2019** instituted for the offence under Section(s) 356, 379/34 of the Indian Penal Code. Later on, Section 395 of the Indian Penal Code has been added.

While the petitioner was in custody in connection with Bihra P.S. Case No. 21/2019, it is submitted that he has been remanded in the instant case and he is in custody in connection with instant case since 30.03. 2019 due to his name being taken by co-accused Pappu Kumar in his confessional statement. No recovery whatsoever has been made from the petitioner and till date he has not been put on Test Identification Parade. It is further pointed out that similarly situated co-accused, viz.



Bhavesh Kumar, of the instant case, has also been allowed the privilege of bail under order dated 01.08.2019 passed in Cr. Misc. No. 46482 of 2019. The petitioner's counsel, relying upon the supplementary affidavit filed, recently, submits that he is not accused in Bihra P.S. Case No. 7/19 and Bihra P.S. Case No. 19/19. It has further been submitted that in other three cases, disclosed in paragraph no.3 of instant bail petition, he is already on bail.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, 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 Saharsa**, in connection with **Bihra P. S. Case No. 06 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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