

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70718 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- DEEPNAGAR District- Nalanda

Deepak Kumar Son of Late Inder Mistri Resident of Village- Gongaripar,
P.S.- Manpur, District- Nalanda. At present Mohallah- Devisarai, P.S.-
Deepnagar, Dist- Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Binit Kumar, Advocate
For the Opposite Party : Mr.Nawal Kishore Pd, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under sections 395/411 of the Indian Penal Code.

It is alleged that when the informant was returning to Murarpur, the miscreants, lodged on two motorcycles, looted Rs.2.20 lacs from the informant. Patrolling party chased and apprehended six of them including the petitioner with the looted money.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as he has been arrested by the police at different place and not from the place of occurrence. He further submits that the alleged recovered cash as well as the motorcycle belong to him. He further submits that the looted motorcycle was recovered from one Thakur Nand Pd. Singh who has already been allowed bail by a bench of this Court vide order dated 1.10.2019, passed in Cr.Mis.No. 61538/2019. Charge sheet has also been filed in the case, as such, there is no chance of tempering with the evidence. Petitioner is in custody since 3.7.2019.



Learned counsel for the State opposes the prayer for bail.

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 Additional Chief Judicial Magistrate, Nalanda at Biharsharif in Deepnagar Police Station Case No. 178 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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