

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70216 of 2019

Arising Out of PS. Case No.-402 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Bitu Kumar @ Bittu Kumar, S/o Late Vinod Ram @ Binod Ram, R/o village-
Arar More, Harijan Colony, Ward No. 28, P.O. and P.S. and District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular
bail in connection with Gopalganj P.S. Case No.402 of 2019
registered for the offence punishable under Sections 399, 402
and 414 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case merely on suspicion. Learned counsel submits that there is
no specific allegation against this petitioner and nothing
incriminating has been recovered from the possession of this
petitioner.

Learned APP has opposed the prayer for bail.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that when the car in which the petitioner was travelling along with co-accused was chased and on spot the petitioner was searched no incriminating materials could be found from the possession of the petitioner, only a mobile phone and an iron punch were recovered from the possession of the petitioner and that prior to this case petitioner had no criminal antecedent as also that the petitioner is in custody since 23.08.2019, now investigation is complete in this case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj in connection with Gopalganj P.S. Case No.402 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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