

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70614 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- CHAKIA District- East Champaran

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Amit Kumar @ Amit Ray, aged about 40 years, Male, Son of Ramnath Rai,
Resident of Village- Singhaila Shanke Tola, P.S.- Motipur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Chakiya
P.S. Case No. 41 of 2019 registered for the offence punishable
under Section 392 of the Indian Penal Code.

Prosecution story is that one FIR was registered on
dated 13.02.2019 vide P.S. Case No.41 of 2019 under Section
392 IPC. In the said complaint, the Branch Manager of Sonata
Finance Pvt. Ltd. informed the police station that at about 02.30
P.M., 3-4 miscreants looted/robbed a sum of Rs.1,67,546/- from
the branch of the finance company, at the point of gun. It was
also alleged that the robbers also snatched along with two
mobile phones of Branch staff, and other necessary



documents/certificates as well. It has further been stated that the accused persons came upon the red colour glamour motorcycle and were bearing posters to disclose their identity. He also handed over the CCTV footage of the act.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. On the basis of confessional statement of Nishant Kumar, he has been made accused in the present case. Learned counsel for the petitioner further submits that there is no recovery from the conscious possession of the petitioner and no T.I. Parade has been done by the prosecution. Petitioner is in jail custody since 24.07.2019.

In the facts and circumstances of the case, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Chakiya P.S. Case No. 41 of 2019, subject to the following conditions :

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in



court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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