

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81713 of 2019

Arising Out of PS. Case No.-74 Year-2014 Thana- RAJGIR District- Nalanda

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Rahul Kumar @ Rocky Son of Ashok Singh @ Ashok Kumar Resident of
Village - Mahrath (Bazidpur), P.S.- Kashichak, District- Nawada
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

Additional Public Prosecutor for the State.

The petitioner seeks bail in **Rajgir P.S. Case No. 74 of 2014**, registered for the offence punishable under Section 392 of the Indian Penal Code. Later on, sections 395, 414 of the Indian Penal Code was added.

Prosecution case is that while the informant was returning to his house on motorcycle and reached near Belua, two motorcycle borne miscreants overtook his motorcycle and forcibly stopped and on the point of gun, took out cash of Rs. 3,00,000/- from the dicky of motorcycle of informant and fled away.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. F.I.R is against unknown. During course of investigation,



police recovered one red motorcycle without number. The said motorcycle was purchased by the petitioner from one Mohan Kumar @ Nitish. There is no compliance of section 100 Cr.P.C. Petitioner is in custody since 15.10.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged 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 learned **Chief Judicial Magistrate, Nalanda (Biharsharif)** in connection with **Rajgir P.S. Case No. 74 of 2014**, subject to the conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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