

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3934 of 2020

Arising Out of PS. Case No.-121 Year-2019 Thana- KOTWA District- East Champaran

Raushan Kumar Son of Sakendra Kumar Yadav Resident of Village-Rajapur,
P.S.-Kotwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Kotwa P.S. Case No. 121 of 2019**, registered for the offence punishable under Section 394 of the Indian Penal Code.

As per prosecution case, after attending Barat, while the informant was returning along with one Dilip Kumar on his motorcycle, four unknown miscreants boarded on one Apache motorcycle, overtook the informant and forcibly stopped his motorcycle. All the four miscreants surrounded the informant and other and out of four miscreants, one assaulted Dilip Kumar with knife, which caused injury to him and on the point of knife snatched cash and mobiles and, thereafter fled away.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner is innocent and has falsely been



implicated in this case. Petitioner is not named in the F.I.R. No incriminating article has been recovered from possession of this petitioner. Name of this petitioner has surfaced in this case on the basis of confessional statement of co-accused Raju Kumar. Raju Kumar and other co-accused have been granted bail by this court vide order dated 27.11.2019 passed in Cr. Misc. No. 70505 of 2019 and order dated 18.10.2019 passed in Cr. Misc. No. 66024 of 2019 respectively, vide Annexures- 2 and 3. Petitioner is in custody since 14.06.2019.

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 **Additional Chief Judicial Magistrate 10th, Motihari, East Champaran** in connection with **Kotwa P.S. Case No. 121 of 2019**, subject to the following 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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