

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6047 of 2020**

Arising Out of PS. Case No.-472 Year-2019 Thana- ISLAMPUR District- Nalanda

Karu Kumar, S/o Damodar Prasad, R/o village- Mali Tola, Burha Nagar,
Islampur, P.S.- Islampur, District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 28-05-2020 This application has been placed for consideration
by the order of the Hon'ble the Chief Justice through virtual
court proceeding.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Islampur P.S. Case No. 472 of 2019 registered
for the offences punishable under Section 392/411 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been made accused in this case, though not named
in the F.I.R. His name has transpired in the confessional
statement of the co-accused and it is alleged that a sum of Rs.



15,000/- has been recovered from the possession of the petitioner. However, when the petitioner was put on T.I.P., the witnesses did not identify him. He is in custody since 06.11.2019. It is also submitted that the petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

In this case, case diary has been received and the same is available on the record, perusal thereof particularly page '26' of the brief which contains the prescribed form with respect to T.I.P, it appears that the petitioner has not been identified by the witnesses. He has remained in custody for over six months, the investigation against him is complete and there is no argument that the release of the petitioner at this stage is likely to result in any obstacle in conclusion of the trial or interference with the evidences.

Considering the facts and circumstances of the case, let the petitioner above named be released on bail in connection with Islampur P.S. Case No. 472 of 2019 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda, 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.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

