

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4057 of 2020

Arising Out of PS. Case No.-429 Year-2019 Thana- DANAPUR District- Patna

Rajbir Singh Son of Abhinav Singh Resident of Village- Sahsara, P.S.-
Kukrabad, District- Amritsar (Punjab). Presently residing at Chanakya Vihar
Colony Rukanpura, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvan Kumar, Advocate

For the Opposite Party/s : Mr.Ansar Ul Haque,

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 **Danapur P.S. Case No. 429 of 2019**, registered for the offence punishable under Section 395, 397 of the Indian Penal Code.

The informant alleged that on 31.05.2019, after withdrawing money from A.T.M when he opened his shop, suddenly four miscreants having mask on the their faces entered into his jewellery shop and on the point of gun demanded all the jewellery and cash. The informant and his brother raised alarm, then one accused persons pointed pistol upon the brother of informant and other accused persons started assaulting him and one of the accused persons, fired upon the informant, as a result of which, he got fire-arm injuries in his waist and foot.



Thereafter, they snatched one gold chain and Rs. 40,000/- cash and fled away.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the F.I.R. Name of petitioner has come on the basis of confessional statement of co-accused Rocky Kumar. No incriminating article has been recovered from possession of this petitioner. Petitioner has not been put on Test Identification Parade till date. Save and except the confessional statement of co-accused, there is no material to show the complicity of the petitioner in the alleged crime. Petitioner is in custody since 28.08.2019.

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, Danapur (Patna)** in connection with **Danapur P.S. Case No. 429 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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