

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7269 of 2020

Arising Out of PS. Case No.-128 Year-2019 Thana- GORIAKOTHI District- Siwan

PUSHPENDRA KUMAR S/o Gulab Chand Sah Resident of village- Oriyan
Tola, G.B. Nagar, P.S.- G.B. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-02-2020 The petitioner seeks regular bail in connection with

Goreya Kothi P.S. Case No. 128 of 2019, registered for offences

punishable under Section 396 of the Indian Penal Code and

Section 27 of the Arms Act.

Prosecution case is that while the nephew of the
informant was returning after bringing cash from Jagdishpur
State Bank Customer Service Center and reached near the
Utkramit Middle School, five persons on two motorcycles
overtook him and started snatching cash and on protest by the
nephew of informant, accused persons fired on his chest and
fled away with cash. The nephew of the informant died on spot.
It appears that petitioner is not named in the F.I.R., later on his
name transpired on confession of co-accused. Apart from that he
is accuse in four other cases.



It has been submitted on behalf of the petitioner that he has falsely been made accused in this case only on confession of co-accused and except that there is nothing against the petitioner and he has been in judicial custody since 05.08.2019 and co-accused, namely, Pintu Kumar has already been enlarged on bail by a coordinate Bench of this Court vide order dated 20.01.2020 passed in Cr. Misc. No. 87203 of 2019.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Goreya Kothi P.S. Case No. 128 of 2019, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds with further subject to the condition that petitioner after release, has to appear before the Officer-in-Charge of the police station of his area in the first week of each month for a period of nine months or till conclusion of trial, whichever is earlier, so that the police may



watch his activities during that period and during that period, if petitioners involvement is found in any other case of serious nature, the prosecution will be at liberty to move for cancellation of his bail bonds.

Let a copy of this order be communicated to the Superintendent of Police, Siwan for needful.

(Vinod Kumar Sinha, J)

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