

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8904 of 2020

Arising Out of PS. Case No.-316 Year-2019 Thana- GHORASAHAN District- East
Champaran

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RAMBABU SAH Son of Brijnandan Sah Resident of Village - Jatwaliya,
P.S.- Kundwa Chainpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-06-2020 The matter has been taken up through virtual

Court proceeding.

Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner is languishing in custody since

22.10.2019 in a case registered for the offence

punishable under Section 392 of the Indian Penal Code.

The prosecution case as per the written report

of Pradeep Kumar submitted to the SHO, Ghorasahan

Police Station is to the effect is that the informant runs

a customer service centre of Punjab National Bank. On

14.08.2019, the informant, after withdrawing rupees



three lakhs through cheque was coming to his house-cum-customer service centre when on way, he was intercepted by three motorcycle borne miscreants and thereafter withdrawn cash amount of Rs. 3,00,000/- along with cash amount of Rs. 15,000/-, a laptop, a finger print charger, a cheque book etc were robbed off, leading to the registration of the FIR against three unknown. The name of the petitioner sprang up during investigation when the petitioner made his confession and disclosed the name of other persons involved in the occurrence as co-accused Chandan Kumar, Vibho Kumar and Suraj Kumar.

Learned counsel for the petitioner submits that there is no recovery from the possession of the petitioner. The petitioner has not been put on test identification parade and the investigation has already been concluded.

Though petitioner was accused in two other cases prior to lodging of the present case, but



subsequent to the lodging of the present case, the petitioner has been remanded in the two other cases.

It is further submitted that co-accused Suraj Kumar has been granted bail vide order dated 21.01.2020 passed in Cr. Misc. No. 3598 of 2020.

Learned A.P.P. submits that his name sprang up on the confession of co-accused persons and the petitioner confessed his guilt. Though he does not controvert the fact that the petitioner has not been put on T.I. Parade and investigation has already been concluded.

Considering the fact that there is no recovery from the possession of the petitioner, the petitioner has not been put on T.I. Parade, the co-accused being granted bail by Co-ordinate bench of the Court, let the petitioner, above named, be released on bail, for the present, provisionally for a period of three months on furnishing one surety to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikarahana at Dhaka, East



Champaran in connection with Ghorasahan P.S. Case No. 316 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-Mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikarahana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No. 316 of 2019 including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court



proceeding in physical mode will not resume in next
three months.

(Dinesh Kumar Singh, J)

Shageer/saif

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