

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11931 of 2020

Arising Out of PS. Case No.-446 Year-2019 Thana- KHARHAGPUR District- Munger

GAUTAM KUMAR Son of Shyam Bihari Yadav Resident of Village -
Tilwariya, Pokharia, P.S.- (Haveli) Kharagpur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.K. Kishore (App 100)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 04-06-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 414/34 of the Indian Penal Code.

Informant in his written report has stated that on 25.12.2019 at about 9:50 pm one Akhilesh Kumar came to the police station that some criminals looted his iron rod which was loaded in Truck No. BR 01GE 7962 by unknown criminals, thereafter police on the basis of GPS location reached the house of Gautam Kumar and found the iron rods lying there. When



inquired about paper, he could not give the same and said that one Rajeev Kumar kept the iron rod and stated that iron rod was purchased without GST. Police seized the iron rod. Gautam Kumar was arrested and seizure list was prepared.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Rajeev Kumar @ Rajeev Sah. It has been further submitted that petitioner had no knowledge that the iron rods were stolen. Petitioner has got no criminal antecedent and is in custody since 26.12.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **(Haveli) Kharagpur P.S.**

Case No. 446 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without



sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

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