

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18012 of 2020

Arising Out of PS. Case No.-238 Year-2019 Thana- SIMRI District- Darbhanga

RATNESH KUMAR S/o Rajendra Mahto, Resident of Village- Purnahi, P.S.-
Warisnagar, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

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

2 09-06-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 392 of the Indian Penal Code.

Allegation against three unknown miscreants is to have overtaken the vehicle of the informant and on the strength of arms, took away his mobiles, Rs. 600 etc. from his possession. Thereafter, miscreants drove away the vehicle of the informant which was loaded with 65 bags of maize seeds.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case merely on the basis of suspicion. Petitioner is neither named in



the FIR nor any recovery has been made from his possession. No TIP has been conducted till date. It is further submitted that one of the co-accused Ram Babu Mahto from whose possession, 42 bags of looted maize seeds were recovered, has already been granted bail by a co-ordinate Bench of this Court vide order dated 03.06.2020 passed in Cr. Misc. No.16656 of 2020. Petitioner is in custody since 07.01.2020.

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 Simri P.S. Case No. 238 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 absence on two consecutive dates without sufficient reason, his 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)

Sanjay/-

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