

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18232 of 2020

Arising Out of PS. Case No.-88 Year-2019 Thana- SOHSARAI District- Nalanda

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Rohit @ Rohit Raj Son of Vinod Sah @ Vinod Saw Resident of Village -
Shyam Nagar, P.S.- Deepnagar, District - Nalanda, At present residence of
Mohalla - Shivpuri Gandhi Nagar, P.S.- Laheri, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Pramod Kumar Sinha, Adv.
For the Opposite Party : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-06-2020 The matter has been listed today for consideration
through Video Conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner seeks bail in **Sohsarai P.S. case No. 88 of
2019** instituted for the offence under Section 395 of the IPC.

The case of the informant is that her husband and elder
son had gone to school. She along with her younger son were at
home when three unknown armed miscreants entered her house



on the pretext that police were chasing them. It is alleged that two mobile phones, cash and some articles were looted by three persons after locking the informant and her younger son.

The petitioner's counsel submits that the petitioner, in fact, has a utensils shop at Laheri. He did not oblige one ASI, posted at Laheri PS. The said ASI subsequently was transferred to the Kankarbagh police station at Patna, whereafter, the petitioner has been implicated in the instant case along with five other accused at the instance of the said ASI. He has no criminal antecedent. No recovery whatsoever has been made from the petitioner. The petitioner's name has been implicated allegedly on the basis of the confessional statement of co-accused persons. Till date he has not been put on TIP. In the other five cases falsely instituted against the petitioner by the said ASI, the petitioner has been allowed bail. The petitioner is in custody since 23.01.2020

The learned counsel for the State opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 **Chief Judicial Magistrate, Nalanda at Biharsharif**, in connection with **Sohsarai P.S. case No. 88 of 2019** , subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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