

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18176 of 2020**

Arising Out of PS. Case No.-216 Year-2019 Thana- BHAGWANPUR District- Vaishali

SAURABH KUMAR S/o Dinesh Giri R/o village- Sharma Amar, P.S.-
Bhagwanpur, District- Vaishali

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 04-06-2020 The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

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 and the learned APP for the State.

Petitioner seeks bail in Bhagwanpur. PS Case No. 216 of 2019 registered under Section 392 of the IPC.

The prosecution case is that the informant's motorcycle, voter I/d, Adhaar Card, Pan Card and some other articles including cash of Rs. 13,000/- have been looted on gun point by three miscreants. The FIR is against unknown persons.

Learned Counsel for the petitioner submits that on the basis of statement of co-accused Raja, the petitioner has been implicated in this case. Other than that, there is nothing to



connect the petitioner with the occurrence. No recovery has been made from the petitioner. In this case, the petitioner is in custody since 13.12.2019. On the basis of statement of same co-accused the petitioner has falsely been implicated in three other cases also.

Learned APP has opposed the prayer for bail. It is submitted that the petitioner has been remanded in this case from Lalganj PS Case No. 332 of 2019 on the basis of statement of co-accused. The prayer is accordingly opposed.

Considering the rival submissions this court is inclined to allow the prayer for bail.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM Ist, Vaishali at Hajipur. in Bhagwanpur. PS Case No. 216 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)

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