

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20549 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- RAJAOLI District- Nawada

RAJU KUMAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2020 The matter has been taken up through virtual Court proceeding.

Since the physical Court proceeding is non-functional due to the present pandemic Covid-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of the resumption of the physical Court proceedings.

In case of non-removal of the defects within undertaken period, the office shall place the matter before the bench.

Heard learned counsel for the petitioner and learned counsel for the State.



The petitioner is languishing in jail since 15.2.2020 in a case registered for the offences punishable under Section 392 of the IPC. Hence, prayer for bail has been made.

The prosecution case, as per the written report of Rajeev Kumar submitted to SHO, Rajauli Police Station, is to the effect that on 11.1.2020 at 9.40 P.M., the informant was travelling on Scarpio vehicle, on the way, it was intercepted and robbed by unknown persons, leading to registration of the present FIR against unknown. Name of the petitioner sprang up during investigation. The petitioner made confession which led to the recovery of the robbed vehicle.

It is submitted by learned counsel for the petitioner that the informant has filed a petition before the learned Court below that the petitioner was not one of the miscreants who robbed the vehicle in question. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that on the basis of confession of the petitioner, the robbed vehicle has been recovered.

Considering the fact that there is nothing on record to suggest that the petitioner was put on Test Identification Parade and statement made in paragraph 3 of the petition



that the petitioner is not having any criminal antecedent, coupled with the period in custody, 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 the learned CJM, Nawada in connection with Rajauli P.S. Case No. 15 of 2020.

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.10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada 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.

Accordingly, the present application stands
disposed of.

(Dinesh Kumar Singh, J)

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