

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20237 of 2020

Arising Out of PS. Case No.-101 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

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DHIRENDRA KUMAR @ DHEERAJ KUMAR S/o Sunil Prasad Yadav @
Sunil Prasad R/o village- Babaudi Bigha (Bodhi Bigha, Bahadi Bigha), P.S.-
Karai Parshurai, District- Nalanda (Biharsharif)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav

For the Opposite Party/s : Mrs. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-07-2020 The matter has been taken up through virtual court proceeding.

Since, the physical court is not functional, due to present pandemic Covid-19, the present application has been listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of functioning of the court in physical mode.

If the defects are not removed within undertaken period, the office will again place the matter on board.



Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 06.12.2019, has preferred the present application for grant of bail in a case registered for the offence punishable under Section 392 of the IPC.

The prosecution case, as per the written report of Saket Kumar, submitted to the Station House, Nawada Mufassil Police Station is to the effect that on 29.04.2019 at 9.45 P.M., the informant was returning from Biharsharif by a Pulsar motorcycle when, on the way, six accused persons on two motorcycles overtook the informant and they robbed the motorcycle, cash amount of Rs. 5,000/-, A.T.M. card, Credit card and PAN card of the informant, leading to registration of FIR against unknown. During investigation, the petitioner was apprehended when he made confession.

It is submitted by learned counsel for the petitioner that no recovery has been made from the conscious possession of the petitioner nor the petitioner has been put on T.I. Parade. The investigation has already been concluded. A statement has been made in paragraph no.6 of the petition that the petitioner is accused in six other cases, but in all those cases, either he is on



bail or he has been acquitted.

Learned APP submits that the petitioner confessed his guilt during investigation.

Considering the fact that no recovery has been made from the conscious physical possession of the petitioner, the petitioner has not been put on T.I. Parade, the investigation has already been concluded and period under 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 C.J.M., Nawada in connection with Nawada Muffasil P.S. Case No. 101 of 2019.

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 including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned



C.J.M., Nawada in connection with Nawada Muffasil P.S. Case
No. 101 of 2019.

The learned Court below will be at liberty to extend
the period of provisional bail further if the court proceeding in
physical mode will not resume in next three months.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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