

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18954 of 2020

Arising Out of PS. Case No.-81 Year-2018 Thana- BHELDI District- Saran

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RAKATU KUMAR S/o Late Bidya Ray Resident of Village- Gandhi Chowk,
P.S.- Town Chapra, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mazharul Hassan
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-06-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant in his written complaint has alleged that on 22.03.2018 he was returning to his home on his motorcycle and when he reached near Rajachowk at about 9:00 pm two motorcycle borne miscreants intercepted him and snatched his motorcycle alongwith ATM and Samsung Mobile Phone and fled away.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Petitioner is not named in the FIR. No incriminating material has been recovered from the possession of petitioner. Petitioner has not been put on TIP till date. Similarly, situated co-accused person Mannu Rai has been granted bail by a co-ordinate bench of this Court vide order dated 26.02.2019 passed in Criminal Miscellaneous No. 80652 of 2018. Chargesheet has been submitted in this case. Petitioner is in custody since 26.07.2018.

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 **Bheldi P.S. Case No. 81 of 2018**, 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/her absence on two consecutive dates without sufficient reason, his/her 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)

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