

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19679 of 2020**

Arising Out of PS. Case No.-322 Year-2019 Thana- GAIGHAT District- Muzaffarpur

SADANAND KUMAR Son of Sanjay Rai @ Mohan Rai Resident of Village
- Sura, P.S.- Gaighat, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 29-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in **Gaighat P.S. Case No.
322 of 2019**, registered for the offence punishable under
Sections 395, 397 of the Indian Penal Code.

It is alleged that some miscreants boarded on Bolero
vehicle overtook his motorcycle and forcibly stopped him.
Three persons came out of the Bolero vehicles and fired on his
leg and on the point of gun also snatched away cash of Rs.
5,000/-, mobile, Aadhar Card etc.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Raja Kumar @ Raja Babu. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Other co-accused has been granted bail by a coordinate Bench of this court vide order dated 03.12.2019 passed in Cr. Misc. No. 78600 of 2019. Petitioner is in custody since 01.02.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged 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 **Additional Chief Judicial Magistrate 15th, Muzaffarpur** in connection with **Gaighat P.S. Case No. 322 of 2019**, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(ii) 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.

(Prabhat Kumar Singh, J)

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