

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23514 of 2020

Arising Out of PS. Case No.-285 Year-2019 Thana- PALIGANJ District- Patna

Prafull Kumar @ Praful Kumar, Son of Harendra Singh, Resident of Village-
Gulzarbagh, Police Station-Karpi, District-Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 05-10-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

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.

The petitioner seeks bail in connection with Paliganj P.S. Case No.285 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code.

The prosecution case is that the informant's mobile phone and vehicle have been snatched at the pistol point by



three miscreants riding on a motorcycle.

Petitioner's Counsel submits that while the petitioner was in custody in connection with Khirimore P.S. Case No.85 of 2019, he has been remanded in this case. His implication is solely on the basis of confessional statement of co-accused Sujeet Kumar, which has no evidentiary value. Learned counsel submits that due to inadvertence, in paragraph 7 of the bail application, the fact has wrongly been typed as "self-confession" instead of "confession of Sujeet Kumar". The petitioner is in custody in connection with the instant case since 17.10.2019.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 S.D.J.M., Danapur, Patna, in connection with Paliganj P.S. Case No.285 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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