

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24590 of 2020

Arising Out of PS. Case No.-179 Year-2019 Thana- AMAUR District- Purnia

JITENDRA BISWAS @ JITENDRA BISHWAS Son of Dharmanand Biswas
Resident of Village- Kairiya, P.S.- Amour, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh, Advocate
		Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 04-11-2020

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.

Mr. Sunil Kumar Pandey, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

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

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

Petitioner seeks bail in Amour PS Case No. 179 of 2019 registered under Sections 395 and 397 of the IPC.

The FIR has been lodged against unknown persons of entering into the house and indulging in loot and dacoity.

It is submitted by learned Counsel for the petitioner that other than confessional statement of co-accused there is nothing to implicate the petitioner in this case. The articles shown to be recovered from the petitioner's possession are not the articles alleged



to have been looted in the FIR. The petitioner or the recovered articles have not been put on T. I. Parade till date. The petitioner is on bail in the four cases pending against him since before and those cases are also of the year 2013-14. The investigation has not revealed any injury on the informant or his family members during the course of alleged loot. The petitioner in the circumstances is in custody since 29.11.2019, nearly one year.

Learned APP has opposed the prayer for bail. It is submitted that many persons have committed the offence. It is also submitted that the petitioner has criminal antecedent.

Considering the rival submissions as also the facts and circumstances of the case, this Court is inclined to allow the prayer for bail. The prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rohit Kumar, Judicial Magistrate, 1st Class, Purnea in Amour PS Case No. 179 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.

(Madhuresh Prasad, J)

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