

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous Case No.22022 of 2020
Arising Out of PS. Case No.-130 Year-2019 Thana- GOGRI District- Khagaria

Monu Kumar S/o Kapildeo Sharma @ Kapildev Mistri R/o village-Khatha, P.S.-
Gogri, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Adv

For the Opposite Party/s : Mr. Naveen Kumar Pandey (APP)

(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

3 12-08-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks regular bail in connection with **Gogri P.S.**
Case No. 130 of 2019 registered for the offence punishable under
section 392 of the Indian Penal Code.

Earlier the bail of the petitioner was rejected vide order
dated 27.11.2019 passed in Criminal Miscellaneous No. 60163 of
2019.

Informant in his written complaint has alleged that while he
was returning on his motorcycle after collecting Rs. 39,000/-
from Rita Kumari, FIR named accused including petitioner
snatched away cash as well as his motorcycle and fled away.

It is submitted on behalf of petitioner that he is innocent
and has been falsely implicated in this case due to animosity and



village rivalry. Case as made out in FIR is highly improbable as it cannot be believed that miscreants made him sit in between two accused and went on motorcycle and means of identification is also suspicious. Petitioner had no criminal antecedent and all the three cases in which he has been made accused are interrelated arising out of same incident in which petitioner is on bail in two cases. Petitioner is in custody since 27.04.2019.

Learned counsel for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount in connection with **Gogri P.S. Case No. 130 of 2019** to the satisfaction of learned court below where the case is pending, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason, the trial court shall have liberty to cancel his bail bonds.

(2) 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.

(3) If the petitioner is found involved in similar nature of offence, after his release on bail the trial court shall take steps to cancel his bail bonds.

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(S. Kumar, J)

