

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25149 of 2020

Arising Out of PS. Case No.-49 Year-2013 Thana- GOPALPUR District- Patna

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VEERU KUMAR @ VEERU GOPE @ VEERU YADAV @ BIRUA S/o-
Late Premdhar Rai @ Bhoti Singh R/o- Raibagh, P.S.- Didarganj, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Adv.

For the Opposite Party/s : Mr.Balmukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-10-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Gopalpur P.S. Case No.49 of 2013 registered under Section 395 of the Indian Penal Code.

The informant alleged that while he was returning from near water park after seeing his field and when he reached near village Chainpur, the informant saw some wood log lying on the road. The informant sensing the danger turned his vehicle but 10-12 persons came, assaulted the informant and snatched his purse and other articles golden chain etc. from the possession of the petitioner. The friend of the informant managed his good escape.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. The name of the petitioner surfaced in the case in the confessional statement of one Pintu Raj recorded in para 36 of the case diary. Petitioner is in jail since 25.01.2020. Petitioner has remained in jail for more than eight months but he has not yet been put on T.I.P. although the



informant claimed to identify the miscreants, therefore, there is no admissible evidence on record to show the involvement of the petitioner in the alleged dacoity save and except the confessional statement of co-accused that too before the police.

Learned A.P.P. however opposed the prayer for bail and submits that the case is of the year 2013 but at the same time, could not be able to show any material save and except the confessional statement of the co-accused.

Taking into consideration the fact that petitioner is in jail since 25.01.2020 on the basis of the confessional statement of co-accused that too before the police and thereafter no tangible evidence was collected nor the petitioner was put on T.I.P. and the police submitted chargesheet, let the petitioner, above named, 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 A.C.J.M. IX, Patna in connection with Gopalpur P.S. Case No.49 of 2013.

(Prabhat Kumar Jha, J)

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