

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24054 of 2020

Arising Out of PS. Case No.-102 Year-2016 Thana- SONEPUR District- Saran

Thutha Nat @ Virendra Nat Son of Ram Ishwar Nat Resident of Village -
Sihoria, P.S.- Baniyapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-11-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Sonepur P.S. Case No.
102 of 2016, registered for the offence under Sections 396, 397,
412 of the Indian Penal Code.

As per the prosecution case, 10-12 miscreants entered
into the house of informant in the night of 09-03-2016 to
commit *dacoity*. It is further alleged that while committing
dacoity, the miscreants assaulted wife and father of the
informant, as a result of which, they died during treatment.

It is submitted on behalf of petitioner that FIR has
been lodged against unknown. Name of the petitioner has come
only on the basis of confessional statement of co-accused
Gabbar Nat and save & except confessional statement, there is
no other material against this petitioner. No incriminating article
has been recovered from the possession of the petitioner. It is



further submitted that till date, petitioner has not been put on T.I.P. and he is in custody since 17-02-2020. It is further submitted that similarly situated co-accused Raju Nat @ Gabbar Nat has already been granted bail by this Court, vide order dated 02-02-2017 passed in Cr.Misc. No. 48221 of 2016 (Annexure 2 to the petition).

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner 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 learned A.C.J.M.-I, Saran at Chapra in connection with Sonapur P.S. Case No. 102 of 2016 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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