

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.27338 of 2020**

Arising Out of PS. Case No.-380 Year-2019 Thana- MURLIGANJ District- Madhepura

Bablu Kumar, Son of Anil Prasad Yadav, Resident of Village- Bhangaha
Chanpur, Dhimatola, Police Station- Jankinagar, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 21-10-2020 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Amit
Kumar Rakesh, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Murliganj P.S. Case No. 380 of 2019

registered for the offences punishable under Section 392 of the

Indian Penal Code.

The petitioner is in custody since 23.11.2019 and has

got no criminal antecedent as stated in paragraph '3' of the

application.

The allegation against him is that he was caught by



the villagers immediately after the tractor drivers complained two motorcycle borne miscreants followed their tractors and after overtaking the tractors they came to the informant and other two persons went to the another driver Md. Maksood and they were looted away Rs. 34,500/-from them. It is stated that at Navtol chowk one of the motorcycle became uncontrolled and fell down and then one of the criminals was caught by the villagers. This petitioner is said to be the said person who was caught by the villagers.

Learned counsel submits that there is no recovery of any arm or ammunition or looted article from the possession of the petitioner and he has been caught by the villagers only on mere suspicion.

It is then submitted that co-accused Harish Mishra has been granted bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 3097 of 2020 whereas another co-accused has been granted bail by learned court below.

Learned A.P.P. has though opposed the prayer for regular bail of the petitioner, considering that neither any firearm nor any looted money has been recovered from his possession, he is in custody since 23.11.2019 and the co-accused have already been granted privilege of regular bail, let the



petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S. Case No. 380 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.



And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

