

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No 27377 of 2020**

Arising Out of PS. Case No.-189 Year-2019 Thana- KARJA District- Muzaffarpur

=====

ASHUTOSH RANJAN @ CHOTU SINGH S/o Arun Kumar Singh Resident  
of Village-Bangri, P.S.-Baruraj, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr Sanjay Kumar @ S K, Advocate  
For the Opposite Party/s : Mr Madan Kumar, APP

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**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**2      20-10-2020**                      As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner.

Mr Madan Kumar, APP is appearing as it is submitted that the brief has been allotted to him by the Office of Advocate General.

The petitioner seeks bail in Karja Police Station (for brevity, PS) Case No 189 of 2019 instituted for the offence



punishable under Section 395 of Indian Penal Code.

The case of the prosecution is that some miscreants have entered into the Customer Service Center of the informant and looted money, mobile and other articles.

Petitioner's counsel submits that on the basis of the confessional statement of co-accused Ajit Kumar, the petitioner has been implicated in this case. Such implication, based on confession of co-accused, has no evidentiary value. Co-accused Ajit Kumar has been granted bail by this Court by order dated 14.10.2019 passed in Cr Misc No 63143 of 2019. Petitioner has not been put on Test Identification Parade. There is no recovery of any incriminating material from his possession. His implication is solely on the basis of criminal antecedents and extraneous considerations. He is in custody in this case since 05.03.2020.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01<sup>st</sup> Class, Muzaffarpur in Karja PS Case



No 189 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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