

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23162 of 2020

Arising Out of PS. Case No.-457 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

Raja Singh Son of Ashok Singh Resident of Village, presently-Sahebganj
Pratappatti, P.S.-Sahebganj, District-Muzaffarpur, and permanent R/o village-
Lakhansen, P.S.-Baruraj, District-Muzaffarpur ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Ganesh Prasad Singh, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner seeks bail in a case registered for the
offence punishable under section 395 of the Indian Penal Code.

Prosecution's case, in brief, is that when the
informant's son was returning to home after closing the shop, at
about 11.40 PM accused persons surrounded him and took
away Rs.48400/- on the pistol point. Petitioner's name has come
in the instant case on his confessional statement.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. Petitioner's
name has come in the instant case on his confessional statement
which is of no consequences. He submits that during
investigation no material has come against him, save and except
his own confession. He is in custody since 2.3.2020. Petitioner



has not been put on test identification parade (TIP) till date Charge sheet has also been filed in the case, as such, there is no chance of tampering with the evidence.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 Additional Chief Judicial Magistrate I, West Muzaffarpur in Sahebganj Police Station Case No. 457 of 2019 on 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 shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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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