

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23171 of 2020

Arising Out of PS. Case No.-84 Year-2019 Thana- KURSAILA District- Katihar

AMRIT KUMAR S/o Nepali Mandal Resident of Village-Indiragram, P.S.-
Kursela, District-Katihar. ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Sanchay Srivastava, 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 via Video conferencing.

The petitioner seeks bail in a case registered for the offence punishable under sections 457/380 of the Indian Penal Code.

Prosecution's case, in brief, is that in the wee hours three to four unknown miscreants entered into informant's shop and took away TV sets, Mixer and other electronic goods.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. Petitioner has got no criminal antecedent and he is in custody since 28.5.2019. petitioner's name has been surfaced on the basis of his self confession, though nothing incriminating has been recovered from the possession of the petitioner. Similarly situated co-accused has already been allowed bail by the Court below itself vide Bail Petition No. 395 of 2019.

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 Chief Judicial Magistrate, Katihar in Kursela Police Station Case No. 84 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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