

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24067 of 2020**

Arising Out of PS. Case No.-450 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Hiralal Sah Son of Late Ram Swaroop Sah Resident of Village- Laxmipur,
P.S.- Adapur, District- East Champaran ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-09-2020 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 the petitioner along
with other accused persons, posing themselves to be Sales Tax
officials, looted away the consignment loaded on the truck of
the informant on the point of knife and firearms. However, the
same was recovered after some hour.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of suspicion and for the same occurrence, one
another case had also been registered in which he is on bail.
Petitioner is a labour and nothing incriminating has been
recovered from his possession. Petitioner has not been put on
test identification parade (TIP). He is in custody since
24.12.2019. Similarly situated two co-accused have already
been allowed bail by a bench of this Court vide order dated
17.1.2020, passed in Cr.Mis.No. 85873/2019.

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 Sub Divisional Judicial Magistrate, West Muzaffarpur in Kanti Police Station Case No. 450 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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