

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24171 of 2020**

Arising Out of PS. Case No.-298 Year-2019 Thana- DESARI District- Vaishali

=====

Rahul Kumar S/o Chharpan Singh @ Manoj Kumar Resident of Village-
Desari, P.S.-Desari, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr.Khurshid Anwar

=====

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

2 21-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Desari P.S. Case No. 298
of 2019, registered for the offence under Section 395 of the
Indian Penal Code.

As per prosecution case, on the alleged date i.e. on
27-08-2019 between 7:30 PM to 8:15 PM, 10 to 15 miscreants
committed dacoity in the house of informant and looted
jewellery worth Rs. 5 lacs, other articles worth Rs. 50,000/- and
cash of Rs. 30,000/-.

It is submitted on behalf of petitioner that petitioner is
innocent and has falsely been implicated in this case. It is
further submitted that petitioner is not named in the FIR and his
name has come only on confession of co-accused Ritesh Kumar



and said Ritesh Kumar has already been granted bail by this Court, vide order dated 31-01-2020 passed in Cr.Misc. No. 86190 of 2019 (Annexure - 2). It is further submitted that nothing has been recovered from conscious possession of petitioner. Some of the co-accused namely Pumpum Choudhary @ Mukesh Kumar (vide order dt. 23-06-2020 in Cr.Misc. No. 9259/2020), Bablu Kumar (vide order dt. 10-06-2020 in Cr.Misc. No. 17357/2020) and Ravi Kumar (vide order dt. 03-07-2020 in Cr.Misc. No.20687/2020) have already been granted bail by this Court, as stated in paragraph – 9 of the petition. The petitioner is in custody since 14-06-2020, having no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Vaishali at Hajipur, in connection with Desari P.S. Case No. 298 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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)

anay/-

U		T	
---	--	---	--

