

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28372 of 2020**

Arising Out of PS. Case No.-175 Year-2019 Thana- PRANPUR District- Katihar

Sk. Dildar, S/o Ushman Gani, Resident of Village- Sakarpura, P.S.-
Dandkhora, District- Katihar (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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

3 14-12-2020 Heard learned counsel for the parties through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Section 395 of the Indian Penal Code.

As per the prosecution case, on 23.08.2019, five miscreants armed with fire arms entered into the house of the informant and on the point of pistol, they looted cash of Rs.3,45,000/- (Rupees Three Lakh Forty Five Thousand) and other ornaments and articles from his house.

It is submitted on behalf of the petitioner that name of



the petitioner has surfaced during course of investigation on the confessional statement of co-accused, Jafar. It is further submitted that no incriminating article has been recovered from the physical possession of the petitioner and in support of the same he has relied on the seizure list annexed with the F.I.R. Petitioner is in custody since 11.12.2019 and charge-sheet has already been submitted. Petitioner has got clean antecedent as stated in paragraph no.3 of the petition.

However, learned A.P.P. for State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in Prampur Police Station Case No. 175 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)

Ankit/-

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