

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28957 of 2020

Arising Out of PS. Case No.-139 Year-2019 Thana- MOTIPUR District- Muzaffarpur

BHOLA SAH Son of Late kailash Sah Resident of Village- Mahwal, P.S.-
Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Bharti, Adv.

For the Opposite Party/s : Mr. Matloob Rab APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-12-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Mr. Matloob Rab, learned APP, is appearing as it is submitted that the brief has been allotted to him by the office of Advocate General. His name may also be printed in the cause list.

Heard learned counsel for the petitioner and learned APP for the State .

Learned counsel for the petitioner is expected to honour his



undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Motipur P.S. Case no. 139 of 2019, G.R. No. 845 of 2019 instituted for the offence under Section 392 of the I.P.C.

It is alleged by the informant (Branch Manager) that three unknown persons have entered into the Bank and fled away looting 3,96,140/- Rupees from the Branch.

Petitioner's counsel submits that his implication is on the basis of statements of co-accused, having no evidentiary value. He is in custody after his remand in the instant case from Motipur P.S. Case No. 163 of 2020 on 23.01.2020. No T.I.P. has been conducted and there is no recovery of any money from the petitioner to connect him with the alleged occurrence. Submission is of false implication. The petitioner is accused in one more case, as per details made in paragraph no. 3 of the bail petition since before.

The learned APP has opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount



each to the satisfaction of the SDJM West Muzaffarpur, in connection with Motipur P.S. Case no. 139 of 2019, G.R. No. 845 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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