

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25670 of 2020**

Arising Out of PS. Case No.-372 Year-2019 Thana- MAHUA District- Vaishali

Badri Vishal Singh @ Badri Singh aged about 25 years Son of Pramod Narain
Singh Resident of Village- Kanhauli Dhanraj, P.S.- Mahua, District- Vaishali
... Petitioner

Versus

The State of Bihar

... ... Opposite Party

Appearance :

For the Petitioner : Mr. Naresh Chandra Verma, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

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

3 23-11-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under section 394 of the Indian Penal Code
and section 27 of the Arms Act.

Prosecution's case, in brief, is that three unknown
accused persons came to the petrol pump of the informant on
4.7.2019 at 2.50 pm and demanded petrol and on demand of
money they assaulted the nozzle man and also fired upon him.
Accused persons also looted Rs.76243/- from the cash counter
and fled away.

Learned counsel for the petitioner submits that save
and except confessional statement of co-accused Rajiv Kumar
Yadav, no incriminating material has been recovered from the
possession of the petitioner. Petitioner has not been put on test
identification parade (TIP) till date. FIR has been lodged after
three days of the occurrence without explanation. Charge sheet
has also been filed in the case. Petitioner has got no criminal
antecedent and he is in custody since 4.5.2020.



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 the Chief Judicial Magistrate, Vaishali at Hajipur in Mahua Police Station Case No. 372 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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