

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28915 of 2020

Arising Out of PS. Case No.-192 Year-2019 Thana- SIDHWALIYA District- Gopalganj

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GOLU KUMAR @ GOLU KUMAR SINGH Son of Jitan Singh Resident of
Village- Kishunpura, P.S.- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Sharma

For the Opposite Party/s : Mr.Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Ashok Kumar, the learned APP for the State.

The petitioners seek regular bail in connection with Sidhwalia PS case no. 192 of 2019 instituted for the offences punishable under Section 392 of Indian Penal Code.

The allegation is regarding one Pradyuman Kumar, who was working in the Consumer Service Center being run by the informant, having arrived at the door of the informant on 05.10.2019 at about 8.23 in the morning and having asked for a sum of Rs. 20,000/- for the purposes of distributing the same to the customers, however at about 8.45 am, three miscreants had arrived at the



said place of occurrence on two motorcycles, whereafter one of the miscreants had entered into the shop of the informant and on pistol point, had taken away a sum of Rs. 20,000/-, one laptop and the mobile of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that though the petitioner was arrested on 02.12.2019 but he has been remanded in the present case on 03.02.2020. It is further submitted that the F.I.R. is against unknown persons and till date, no test identification parade has been held so as to connect the petitioner with the alleged crime and moreover, the petitioner has been roped in the present case only on account of him being an accused in five other cases.

Per contra, the learned APP for the State vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the fact that no test identification parade has been held till date to connect the petitioner with the alleged crime, apart from the fact that the petitioner is languishing in custody since a long time, I deem it



fit and appropriate to direct for release of the petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st class, Gopalganj in connection with Sidhwalia PS case no. 192 of 2019.

This Court further directs that since the investigation of the present case is going on, the petitioner herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week at 10.00 AM and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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