

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 28986 of 2020**

Arising Out of PS. Case No.-195 Year-2019 Thana- GOPALPUR 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, Advocate

For the Opposite Party/s : Mr Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-11-2020

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

Learned counsels 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.

Heard learned counsel for the petitioner.

Mr Parmeshwar Mehta, APP is appearing as it is submitted that the brief has been allotted to him by the Office of Advocate General.

The petitioner seeks bail in Gopalpur Police Station (for brevity, *PS*) Case No 195 of 2019 instituted for the offence



punishable under Section 392 of Indian Penal Code.

The informant has alleged that his employee's Laptop, cash amounting to Rs 20,000/- and two mobile phones have been looted at gunpoint regarding which he has received telephonic information from his employee.

Learned counsel for the petitioner submits that while the petitioner was in judicial custody in connection with Sidhwalia (Gopalganj) PS Case No 159 of 2019, he has been remanded in this case on 27.02.2020 merely on his own confessional statement, having no evidentiary value. He has already been allowed bail by this Court in Sidhwalia (Gopalganj) PS Case No 159 of 2019 in Cr Misc No 26293 of 2020. There is no recovery of any incriminating article from his possession and till date, he has not been put on Test Identification Parade.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Gopalganj in Gopalpur PS Case



No 195 of 2019, GR No 3202 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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