

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 29057 of 2020

Arising Out of PS. Case No.-338 Year-2019 Thana- DUMRA District- Sitamarhi

RAJESH SAH Son of Late Shankar Sah Resident of Village - Gisara, P.S.-
Parsauni, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Uday Kumar, Advocate

For the Opposite Party/s : Mr Shailendra Kr II, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 11-11-2020

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 Shailendra Kumar II, 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 Dumra Police Station (for brevity, PS) Case No 338 of 2019 dated 02.09.2019 instituted



for the offence punishable under Section 392 of Indian Penal Code.

Six persons, on two motorcycles, have allegedly intercepted the informant and snatched his motorcycle, cellular phone and some other belongings.

It is submitted by petitioner's counsel that on alleged confessional statement of co-accused Saddam Hussain, petitioner has been implicated in this case. Prior to the instant case, there is no criminal antecedent against him. Subsequent to this case, he has also been remanded in Parsauni PS Case No 67 of 2019. There is no recovery of any incriminating material from the petitioner. He has not been put on Test Identification Parade and is in custody since 27.09.2019.

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 Chief Judicial Magistrate, Sitamarhi in Dumra PS Case No 338 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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