

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28999 of 2020

Arising Out of PS. Case No.-9 Year-2020 Thana- GAUTAMBUDHNAGAR District- Siwan

RAVI SINGH S/o Ajay Singh Resident of Village-Ramnagar, P.S.-Siwan
town, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 15-12-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Mr. Rajendra Nath Jha, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in G. B. Nagar PS Case No. 9 of 2020 registered under Sections 379, 461 and 34 of the IPC.

Idols have been stolen from the temple.



Learned Counsel for the petitioner submits that he is not named in the FIR. Co-accused Neuton Rai in his confessional statement has accepted about commission of the crime along with five other persons, including the petitioner. His confessional statement has thereafter been recorded while he was in custody in connection with Asaon PS Case No. 22 of 2020 from which he has been remanded in this case on 3.6.2020. The confessional statement of co-accused and his own confessional statement are the only materials, which have no evidentiary value, forming basis of his custody. Recovery of stolen Idols is also from co-accused Vivek Singh.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM Xith Siwan in G. B. Nagar. PS Case No. 9 of 2020 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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