

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25710 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- SHEOHAR District- Sheohar

Rupesh Kumar @ Rupesh @ Golu aged about 21 years S/o Subodh Upadhya
@ Subod Padhaya @ Soboth Pathaya Resident of Village- Sahpur, P.S.-
Sheohar, District- Sheohar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, 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 sections 392/411 of the Indian Penal
Code.

Prosecution's case, in brief, is that on 25.11.2019 at
10 am, on the point of country made pistol, three unknown
miscreants snatched informant's motorcycle and cash Rs.2000/-.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to high handedness of the police. No incriminating
material has been recovered from the conscious possession of
the petitioner, save and except confessional statement of co-
accused Raju Kumar in Tariyani Police Station Case No.
245/2019. Petitioner has not been put on test identification
parade (TIP) till date. Charge sheet has also been filed in the
case. Petitioner is in custody since 6.2.2020.



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 Chief Judicial Magistrate, Sheohar in Sheohar Police Station Case No. 32 of 2020 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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