

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 64127 of 2019

Arising Out of PS. Case No.-215 Year-2019 Thana- GANDHIMAIDAN District- Patna

Bablu Kumar aged about 32 years (M), Son of Sri Ashok Ray @ Ashok Kumar Rai Resident of Village - Patel Nagar, Hatia Gachhi, Ward No.31, P.S.- Sadar Saharsa, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 24-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Gandhi Maidan P.S. Case No. 215 of 2019 registered for the offence under Section 392 of the Indian Penal Code.

As per prosecution case, while staying in Hotel Republic on 4-5-2019, the informant had parked his vehicle, bearing registration no. BR21S-1383, at Exhibition Road, Patna (between pillar no. 9 & 10) and his driver was sitting inside the vehicle, then two unknown persons came and took away his vehicle exerting threat upon his driver.

It is submitted on behalf of the petitioner that petitioner is not named in the F.I.R. His name has come during course of investigation on confessional statement of co-accused Md. Miraj @ Munna. It is further submitted that neither any



incriminating article was recovered from the possession of petitioner nor the petitioner was put on T.I.P. till date. Save & except confession, there is nothing against the petitioner. In this case, chargesheet has already been submitted and there is no allegation against the petitioner of tampering with the evidence and petitioner is in custody since 18-05-2019.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 learned Chief Judicial Magistrate, Patna in connection with Gandhi Maidan P.S. Case No. 215 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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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