

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71611 of 2019

Arising Out of PS. Case No.-126 Year-2019 Thana- BARBIGHA District- Sheikhpura

Govind @ Govind Kumar @ Malinga, Male, aged about 23 years, Son of
Gopal Singh, Resident of Village - Navranga (Jalalpur), P.S.- Barahiya,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Apurva Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 31-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in Barbiga (Keoti OP) P.S.
Case No. 126 of 2019 registered for the offence under Section
394 of the Indian Penal Code.

In the F.I.R., it is alleged that petitioner alongwith co-
accused committed robbery of truck on the gun point and in
course of robbery, driver and *khalasi* were badly injured.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case only on the basis of
confession of co-accused Nitish Kumar @ Chittu and save &
except confession, there is nothing against the petitioner. It is
further submitted that co-accused Nitish Kumar has already
been granted bail by this Court, vide order dated 30-07-2019



passed in Cr.Misc. No. 47054 of 2019 (Annexure 2). In this case, chargesheet has already been submitted and as such, there is no chance of tampering with the evidence and petitioner is in custody since 19-08-2019, having no criminal antecedent.

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 C.J.M., Sheikhpura in connection with Barbigha (Keoti OP) P.S. Case No. 126 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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