

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 78576 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

PAWAN KUMAR S/o Prem Prasad Residence of Village- Ghatera, P.S.-
Guraru, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

3 13-01-2020 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Makhdumpur (Tehta) Police
Station (for brevity, PS) Case No 288 of 2019 dated 28.06.2019
instituted for the offence punishable under Section (s) 395 of
Indian Penal Code.

While the informant was returning after closing his shop
along with his brother, it is said that they were accosted and the
miscreants snatched Rs 40,000/- and keys of the shop. It is
alleged that on *hulla* being raised, the villagers have assembled
and the petitioner has been apprehended while other four
persons have succeeded in fleeing away. Learned counsel for
the petitioner submits that due to earlier grudge, he has been
implicated in this case falsely. He has no criminal antecedent
and is in custody since 28.06.2019. Falsity of allegation is



obvious from the fact that even though it is alleged that he has been apprehended on the spot, there is no recovery from the petitioner's possession to incriminate him in the instant case.

Learned APP for the State has opposed the prayer for bail.

Considering the aforesaid, 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 Sub Divisional Judicial Magistrate, Jehanabad in connection with Makhdumpur (Tehta OP) PS Case No 288 of 2019 (GR No 1257 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.

(Madhuresh Prasad, J)

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