

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12401 of 2021**

Arising Out of PS. Case No.-116 Year-2018 Thana- MADHAURAH District- Saran

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DIPAK KUMAR @ DIPAK MAHTO S/o Babulal Residence of Village -
Jalalpur, P.S. Doriganj, Distt. - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari, Advocate

For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Sessions Trial no.950 of 2020 (arising out of Madhaurah P.S. Case no.116 of 2018) registered under sections 395 and 379 of the Indian Penal Code.

As per allegation in the F.I.R., nine accused persons on three motorcycle, on the point of pistol, looted the petitioner of his motorcycle, Rs.27,500/ in cash besides other articles.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The name of the petitioner transpired in the confessional statement of co-accused Munna Giri made before police. No incriminating article has



been recovered from the possession of the petitioner. He has not been put on T.I. parade inspite of being in custody since 9.1.2020.

The application for bail is opposed by learned A.P.P. for the State who submits that Sessions Trial no.950 of 2020 is pending against the petitioner who has criminal antecedents.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner not having been put on T.I. parade and his being in custody for 1 year 6 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarge on bail in connection with Sessions Trial no.950 of 2020 (arising out of Madhaurah P.S. Case No.116 of 2018) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IV, Saran at Chapra.

It is further directed that the petitioner shall cooperate in the trial and in case the learned Trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned Trial Court will be at liberty to cancel the bail bond of the petitioner and take him into custody till



conclusion of the trial.

(Partha Sarthy, J)

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