

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11801 of 2021

Arising Out of PS. Case No.-163 Year-2019 Thana- AMAUR District- Purnia

1. MD. PARWEJ Son of Late Md. Yunus Resident of Village - Dalmalpur, P.s.- Amour, Dist.- Purnea.
2. Md. Sharif Son of Late Domer Resident of Village - Dalmalpur, P.s.- Amour, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Suresh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-07-2021 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioners seek bail in Amour P.S. Case No. 163 of 2019, registered for the offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, while the informant was moving on motorcycle, on the way, four miscreants intercepted him and one of them snatched his helmet and assaulted him with his helmet and also looted cash from his possession.

It is submitted on behalf of the petitioners that petitioners are not named in the FIR. Name of the petitioners has come in the case on the basis of confessional statement of



co-accused Daud @ Dawood who has been granted bail by this Court vide order dated 25.09.2020 passed in Cr. Misc. No. 24737 of 2020. During course of investigation it has come that red colour broken helmet has been recovered from the house of petitioner no. 1, the same has not been put on test identification parade or identified by the informant. Petitioners are in custody since 08.05.2020.

Considering the facts and circumstances of the case and the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Amour P.S. Case No. 163 of 2019, subject to following conditions:-

(i) The petitioners 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 in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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