

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13010 of 2021**

Arising Out of PS. Case No.-312 Year-2020 Thana- SIRDALA District- Nawada

=====

GOLU KUMAR @ SUMIT KUMAR @ GOLU S/o Raju Sinha R/o Village-
Tumrathu, P.S.- Goh, District- Aurangbad, at present- Brahmchari Road, P.S.-
Bishnupad, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-06-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail

in connection with Sirdalla P.S. Case No. 312/2020 registered

for the offences punishable under Section 399, 402 of the Indian

Penal Code and under Section 25(1-b_A, 26 and 35 of the Arms

Act.

As per prosecution story, the informant got

information that some criminals blocked the road by putting tree

on the road to commit loot near Paranadabar More under

Sirdalla Police Station, when the informant along with police



force reached there then all persons started fleeing away and out of them six persons were caught hold with the help of armed force and three persons fled away by motorcycle. The apprehended persons disclosed their names and also disclosed the name of the petitioner and on search of the accused persons country made Katta and cartridges were recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, name of the petitioner has transpired on the confessional statement of the co-accused and nothing incriminating has been recovered from the possession of the petitioner and he is in custody since 15.08.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that petitioner was not arrested on the spot as he was not present there, his name has been dragged in the present case on the disclosure made by the apprehended accused persons, there is no recovery of any incriminating material from the possession of the petitioner and the petitioner has remained in custody in connection with the present case since 15.08.2020,



investigation against him is complete but the trial is not likely to be concluded in near future and the cases stated in paragraph '3' was lodged against unknown after arrest of the petitioner in the present case, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – I, Nawada, in connection with Sirdalla P.S. Case No. 312/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage



it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

