

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11069 of 2021

Arising Out of PS. Case No.-95 Year-2020 Thana- BARIYARPUR District- Munger

Ravish Kumar @ Phuchiya aged about 26 years (Male) Son of Anil Mandal
Resident of Village- Bariarpur Basti, P.S.- Bariarpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Bihari Prasad, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey App

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 28-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned counsel for the State

The petitioner seeks bail in Bariarpur PS Case No.95 of 2020, instituted for the offence under Section 380 of the Indian Penal Code.

It is alleged that 50,000/- which the informant had kept for construction of house has been stolen. One Sachin Kumar has intimated that he saw the petitioner come out from her house.

The learned counsel for the petitioner submits that he has falsely been implicated in this case. He submits that prior to the instant case, there is no criminal antecedents of the petitioner. It



is only when he was apprehended on being implicated in this case that he has also been implicated in ariarpur P.S. Case No. 96 of 2020. Rupees 35,000/- alleged to have been recovered from the petitioner's house is unsustainable in law inasmuch as the seizure list is not in accordance with law. He is in custody since 31.10.2020. It is asserted that Rs. 35,000/-was not recovered from him.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Chief Judicial Magistrate -II, Munger,** in connection with **Bariarpur PS Case No. 95 of 2020,** 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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