

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14941 of 2021

Arising Out of PS. Case No.-91 Year-2020 Thana- GAIGHAT District- Muzaffarpur

Sumangal Kumar Son of Late Shivchandra Mahto Resident of village -
jamhorua, P.S. - Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhusudan Kumar, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2021 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 395, 397 and 412 of the Indian Penal Code.

As per FIR, five accused persons armed with pistol entered in the Axis Bank, Majithi Branch and looted Rs. 11,85,741/- and three mobile phones.

Learned counsel for the petitioner submits that petitioner is innocent, not named in the FIR and has been falsely implicated in this case. Petitioner has been made accused on the



self confessional statement before the police which has no evidentiary value in the eye of law. He submits that nothing has been recovered from the conscious possession of the petitioner nor TIP has been done as yet. He further submits that petitioner bears one criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 09.05.2020.

Considering the facts and circumstances of the case and the fact that no incriminating article has been recovered from the possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaighat P.S. Case No. 91 of 2020, G.R. No. 1375 of 2020, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He 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



and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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