

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13912 of 2021**

Arising Out of PS. Case No.-25 Year-2020 Thana- GHORASAHAN District- East
Champaran

=====

SUBODH KUMAR Son of Mauje Lal Ray @ Maujelal Yadav Resident of
Village - Hardiya, P.S.- Kundwa Chainpur, Distt.- East Champaran 845304

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh
For the Opposite Party/s : Mr.Iftekhar Mahboob, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 01-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Ghorasahan P.S. Case No.

25 of 2020, registered for the offence punishable under Sections

420, 120B and 392 of the Indian Penal Code.

As per the prosecution case, on the request of Kunal

Kumar and Kalamuddin the informant sent his vehicle near

Anand Flower Garland Centre. Three persons hired the vehicle

and took the vehicle along with Manoj Kumar, driver of the

vehicle on reserve. Another person also sat at Kadamwa Gola

and the vehicle was stopped and looted away by the occupants



of the vehicle. Informant alleged that one of the persons who hired the vehicle was having mobile no. 9006375111. During course of investigation, Abhishek Kumar was apprehended and it transpired that Awadhesh Mandal was owner of SIM No. 9006375111 and Awadhesh Mandal is father of Abhishek Kumar. Abhishek Kumar disclosed the name of other accused persons and at his instance the vehicle was recovered.

It is submitted on behalf of the petitioner that during course of investigation, name of this petitioner has come in this case on the basis of confessional statement of co-accused. No looted article has been recovered from possession of this petitioner. Petitioner has not been put on test identification parade till date. Moreover, similarly situated co-accused has been granted bail by this Court vide order dated 13.10.2020 passed in Cr. Misc. No. 25877 of 2020. Petitioner claims clean antecedent and he is in custody since 23.01.2020. Investigation is complete.

Considering the facts and circumstances of the case and the fact that no looted article has been recovered from possession of this petitioner is having clean antecedent and similarly situated co-accused has been granted bail by this Court, the petitioner above-named, is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran at Motihari in connection with Ghorasahan P.S. Case No. 25 of 2020, subject to following conditions:-

(i) The petitioner 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, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers 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 petitioner.

(Prabhat Kumar Singh, J)

vinita/-

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

