

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11289 of 2021**

Arising Out of PS. Case No.-184 Year-2019 Thana- GAMAHARIYA District- Madhepura

RAJESH KUMAR S/o Surendra Pd. Yadav R/o village- Lawapur, Mahanaar,
P.S.- Mahanaar, Distt.- Vaishali (Hajipur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Prasad, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

4 09-08-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Gamharia PS Case No.184 of 2019, registered under Sections 392 of the Indian Penal Code.

It is alleged that four miscreants on the gun point have allegedly snatched Rs. 65,000/- from the informant.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He has been remanded in this case on 09.01.2020 after he was arrested in Bhagwanpur P.S. Case No. 330 of 2019. There is no recovery of alleged looted material from the petitioner and till date he has not been put on T.I. Parade. It is submitted that it is a case of false implication. Name of petitioner has surfaced on the basis of confessional statement of co-accused Rahul Kumar Mandal.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Madhepura in Gamharia PS Case No. 184 of 2019, 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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