

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17213 of 2021

Arising Out of PS. Case No.-79 Year-2016 Thana- SHERGHATI District- Gaya

CHHOTU SINGH BHOKTA @ UPENDRA SINGH Son of Matuk Singh
Resident of village - Soniya Tola, Devariya, P.S.- Barachati, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 395/412 of the Indian Penal Code.

As per the prosecution case, eight unknown miscreants looted truck loaded with Parle-G biscuits.

Learned counsel for the petitioner submits that the petitioner's name has figured during course of investigation. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Several



similarly situated co-accused have already been allowed bail by co-ordinate benches of this Court vide orders mentioned in para 14 of the bail petition. Petitioner has claimed clean antecedent and he is in custody since 18.2.2020.

Considering the rival submissions of the parties, materials available on the record and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and Test Identification Parade has not been carried out till date, let the petitioner, mentioned above, 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 Additional Chief Judicial Magistrate, Sherghati, Gaya in Sherghati Police Station Case No. 79 of 2016 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(Prabhat Kumar Singh, J)

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