

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17317 of 2021**

Arising Out of PS. Case No.-105 Year-2020 Thana- MUFFASIL District- Aurangabad

RAHUL KUMAR Son of Yugesh Singh Resident of Village- Bankat, P.S.-
Barun, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.A.G.

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

2 08-07-2021 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 section 394 of the Indian Penal Code.

It is alleged that three unknown miscreants riding on a motorcycle looted Rs.10,000/- and a Laptop of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation. More so, the looted mobile phone has been recovered from the father-in-law of the petitioner who has



revealed that the same had been given by the petitioner. Petitioner has claimed clean antecedent and he is in custody since 18.9.2020. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date.

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, 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 Chief Judicial Magistrate, Aurangabad in Mufassil Police Station Case No. 105 of 2020, 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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