

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16747 of 2021

Arising Out of PS. Case No.-418 Year-2019 Thana- SIKARPUR District- West Champaran

UMESH KUMAR S/O SHIV BACHHAN PRASAD R/o village-
Tadhwanandpur, Khalwa Tola Ward No. 6, P.S.- Bairiya, District- West
Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 10.12.2019 in connection with Shikarpur P.S. Case No. 418/2019 registered for the offences punishable under Sections 461/379 of the Indian Penal Code.

As per the prosecution case, the informant received information that in the night of 25/26.09.2019, ATM installed at Marriage Hall has been stolen away by unknown miscreants and on getting information, when the informant reached at the place, he found that the ATM along with cash of Rs. 2,60,00/- has been stolen.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. It is further submitted that



during the course of investigation, though it is alleged that stolen cash was recovered from the possession of the petitioner, but the same has been not identified by the informant. It is further submitted that co-accused Ashok Sah has already been granted bail by this Hon'ble High Court vide order dated 10.11.2020 passed in Cr. Misc. No. 29294 of 2020. Chargesheet has already been submitted in this case. Petitioner is in custody since 10.12.2019.

Considering the period of custody, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 418/2019, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.
- (2) If the petitioner tempers 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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