

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17140 of 2021

Arising Out of PS. Case No.-160 Year-2019 Thana- SASARAM RAIL P.S. District- Gaya

BITTU KUMAR @ BALA S/o- Vinod Kr. Singh Resident of Village-
Laskariganj Bandh, P.S.- Sasaram Nagar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-07-2021 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 Sasaram Railway P.S.

Case No. 160 of 2019, registered for the offence punishable

under Sections 379/411 of the Indian Penal Code.

As per the prosecution case, some unknown

miscreants committed theft of INSAS rifle of the informant

from running train and the same has been recovered from the

gang in which petitioner is also a member.

It is submitted on behalf of the petitioner that

petitioner is not named in the FIR. During course of

investigation, name of this petitioner has come in this case on

the basis of confessional statement of co-accused. Nothing has



been recovered from conscious possession of this petitioner. Similarly situated co-accused persons have been granted bail by different Benches of this Court. Petitioner is in custody since 01.07.2020. Investigation is complete.

Considering the facts and circumstances of the case, 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 Railway Judicial Magistrate, Gaya in connection with Sasaram Rail P.S. Case No. 160 of 2019, 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)

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