

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20443 of 2021

Arising Out of PS. Case No.-541 Year-2019 Thana- AMARPUR District- Banka

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RUPESH KUMAR DAS SON OF KAPIL DAS @ KAPILDEO DAS R/O
VILLAGE- DHARMPUR, P.S.- SHAMBHUGANJ, DISTRICT- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Jagdhar Pd. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2021 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 Amarpur P.S. Case No.

541 of 2019, registered for the offence punishable under Section

392 of the Indian Penal Code.

As per the prosecution case, three unknown bike

borne miscreants on the point of pistol looted away the

belongings and motorcycle of the informant and fled away.

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 Md. Siddiki.

No looted article has been recovered from possession of this



petitioner. No test identification parade has been held till date. Similarly situated co-accused has been granted bail by this Court vide order dated 22.12.2020 passed in Cr. Misc. No. 34541 of 2020. Petitioner is in custody since 28.02.2020.

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 Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 541 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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