

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19822 of 2021

Arising Out of PS. Case No.-199 Year-2020 Thana- TEGHRHA District- Begusarai

Rahul Kumar S/O Sujeet Kumar @ Sanjit Ray @ Sujeet Mahto @ Sanjeet Rai Resident of Village - Pipra Devas, P.S. - Barauni, District - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate

For the State : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 25-11-2021 The applicant/accused in Crime No. 199 of 2020 registered with Teghra Police Station for the offences punishable under section 392 of the Indian Penal at the instance of the informant, by this application is seeking his release during the pendency of the trial. Undisputedly, chagr-sheet has been filed and the applicant/accused is behind the Bars from 13.10.2020.

Heard learned counsel for the applicant. He submits that except confession of the co-accused and recovery of cell phone, there is no other evidence against the applicant.

Learned Prosecutor submits that the applicant has three criminal antecedents and recovery itself is sufficient to connect him with the crime in question. However, he fairly states that the name of the applicant was surfaced in the confessional statement of co-accused made to the police officer.



The first Informant, Mithilesh Kumar was proceeding to the house of his in-laws by a motorcycle on 15.7.2020. He was overtaken by three persons riding on the motorcycle and that is why the first informant was robbed off his motorcycle and other articles including the cell phone which was in the dicky of that motorcycle. Ultimately, the looted mobile phone is recovered from the possession of the applicant.

The applicant has three criminal antecedents. At the same time it needs to be noted that the applicant is behind the Bars from 13.10.2020. The investigation is over. Hence, by imposing some stringent condition, the applicant can be released on bail, and hence, the following order:-

The application is allowed.

The applicant/accused 199 of 2020 registered with Teghra is directed to be released on bail on executing P.R. Bond of Rs. 30,000/- (Thirty Thousand) on furnishing one or two sureties of the like amount to the satisfaction of the trial court with the following conditions:-

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.



(II) The applicant/accused should cooperate the trial in expeditious disposal of the trial against him.

(III) The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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