

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20441 of 2021**

Arising Out of PS. Case No.-298 Year-2019 Thana- DESARI District- Vaishali

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VIRU RAY @ VIRVA SON OF VANWARI RAY R/O VILLAGE-
LAKAHANPURTAL, P.S.- DESRI, DISTRICT- VAISHALI, BIHAR.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra

For the Opposite Party/s : Mr.Jagdhari Prasad, 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 Desri P.S. Case No. 298 of

2019, registered for the offence punishable under Section 395 of

the Indian Penal Code.

As per the prosecution case, on 27.08.2019 between

7.30 pm to 8.15 pm, 10 to 15 miscreants committed dacoity in

the house of informant and looted away jewellery worth Rs. 5

lacs, other articles worth Rs. 50,000/- and cash of Rs. 30,000/-

It is submitted on behalf of the petitioner that

petitioner is not named in the FIR. Name of this petitioner has

figured in this case on the basis of confessional statement of co-

accused Rahul Kumar. No incriminating article has been



recovered from possession of this petitioner. No test identification parade has been held till date. Co-accused Rahul Kumar has already been granted bail by this Court vide order dated 21.09.2020 passed in Cr. Misc. No. 24171 of 2020. Petitioner is in custody since 15.05.2020.

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, Vaishali at Hajipur in connection with Desri P.S. Case No. 298 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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