

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20227 of 2021**

Arising Out of PS. Case No.-122 Year-2019 Thana- DHANKUND District- Banka

Md. Juli aged about 32 years Son Of Md. Aslam Resident Of Village-
Kabirpur (BADLE-ALAMPUR), P.S. Habibpur, District- Bhagalpur

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party : Mr. Rajesh Kumar, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 19-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

As per the prosecution case, two unknown miscreants riding on a motorcycle on the point of pistol looted cash Rs.5,500/- from the informant and his associate.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner's name has figured during course of investigation in confessional statement of co-accused Md. Siraj. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Petitioner has claimed clean antecedent and he is in custody since 10.9.2020.

Learned counsel appearing for the State opposes the prayer for bail.



Considering the rival submissions of the parties, materials available on the record and the fact that petition has got clean antecedent and no incriminating material has been recovered from the conscious possession of the petitioner, let the petitioner, mentioned above, 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 Sub Divisional Judicial Magistrate, Banka in Dhankund Police Station Case No. 122 of 2019 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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)

shashi/-

U		T	
---	--	---	--

