

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22069 of 2021

Arising Out of PS. Case No.-404 Year-2019 Thana- KOTWALI District- Patna

IMRAN KHAN @ IMRAN ALAM S/o Suhel Alam R/o village- Damara
Daulatpur, P.S.- Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kr. Arya

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-07-2021 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 Kotwali P.S. Case No. 404

of 2019, registered for the offence punishable under Section 392

of the Indian Penal Code. Later on, sections 411, 413 and

120(B) of the IPC were added.

As per the prosecution case, on 06.05.2019, informant

was driving the Scorpio vehicle of his owner, Mahadeo Rajak

and nephew of his owner's friend namely, Gaurav Sharma was

travelling and in the night, he stayed in a hotel near Patna

Railway Station. On 06.05.2019 at about 5.30 am, while the

informant was sleeping in the vehicle, three persons, concealing

their face, came and robbed the mobile phone and Scorpio



vehicle, leading to registration of FIR against unknown.

It is submitted on behalf of the petitioner that name of petitioner sprang up on the basis of confessional statement of co-accused Vikash Kumar. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Similarly situated co-accused have been granted bail by different Benches of this Court. Petitioner is in custody since 25.08.2020.

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 Additional Chief Judicial Magistrate IX, Patna in connection with Kotwali P.S. Case No. 404 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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