

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21954 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- KHAIRA District- Jamui

Chhotu Kumar Son Of Ramdeo Singh R/O Village- Manpur, P.S.- Khaira,
Dist.- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajesh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2021 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, co-accused Nayan Kr.Singh along with three unknown miscreants looted motorcycle of the informant.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Petitioner's name has figured during course of investigation in confessional statement of co-accused. No looted article has been recovered from the possession of petitioner. Test Identification Parade has not been carried out till date. Petitioner is in custody since 13.10.2020.

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 Test Identification Parade has not been carried out till date and the petitioner is in custody since 13.10.2020, 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 Chief Judicial Magistrate, Jamui in Khaira Police Station Case No. 109/2020 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)

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