

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24145 of 2021**

Arising Out of PS. Case No.-148 Year-2020 Thana- JADIA District- Supaul

Gulshan Kumar aged about 22 years, S/O- Dilip Kumar Yadav Resident of
Village- Raniganj, Ward No.05, P.S.- Raniganj District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhouri Vipin Bihari Shrivastava, Adv.
For the Opposite Party/s : Mr. Binod Shankar Modi, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-12-2021 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

The petitioner who is in custody since 18.9.2020 seeks regular bail in connection with Jadiya P.S. Case No. 148 of 2020 for the offence punishable under section 379 of the Indian Penal Code in which charge-sheet has been submitted under section 302 of the Indian Penal Code against the petitioner.

The prosecution story is that two unknown persons are said to have snatched the bag of the informant, containing Rs. 91,170/- cash alongwith two mobile phones, ATC card, Adhar Card and Pan Card.



Learned counsel for the petitioner submits that the petitioner has not been put on TIP and nothing incriminating articles has been recovered from the conscious possession of the petitioner. He further submits that similarly situated other co-accused has already been released on bail by a coordinate bench of this Court and as such, the petitioner be released on bail.

The learned counsel appearing on behalf of the State, however, vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid submissions made by the respective parties and the fact that the petitioner is not named in the FIR, nothing has been recovered from the petitioner and the investigation has been completed, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-V, Supaul, in connection with Jadiya P.S. Case No. 148 of 2020 subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(Purnendu Singh, J)

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