

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24749 of 2021

Arising Out of PS. Case No.-772 Year-2020 Thana- ARARIA District- Araria

Md. Salkin @ Sonu S/o- Ajimuddin R/o Mehsakol, Ward no.-8, P.S.- Araria,
Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.

Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Gauri Shankar Gupta A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Araria P.S. Case No. 772 of 2020, registered for the offence under Section 394 of the Indian Penal Code.

As per the prosecution case, three unidentified miscreants riding on a motorcycle, on the point of pistol, looted cash and other articles from the informant.

Petitioner is not named in the FIR. Name of the petitioner has come on the basis of confessional statement of co-accused Sahnawaj. Though, it is alleged that looted mobile phone has been recovered from the possession of the petitioner,



but the said mobile phone is of the petitioner, since as per seizure list, the IMEI No. of looted mobile phones is 869897043071690 & 869897043071680, but the IMEI No. of OPPO mobile recovered from petitioner is 869897043071694. Till date, petitioner has not been put on T.I.Parade and he is in custody since 21.12.2020, having clean antecedent. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record as well as period of custody and clean antecedent of petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 772 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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