

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24702 of 2021

Arising Out of PS. Case No.-271 Year-2020 Thana- KOILWAR District- Bhojpur

KRISHNA RAI S/o- Hiralal Rai Resident of Village- Sunderpur Barja, P.S.-
Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2021 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 snatched informant's motorcycle, mobile phone and cash Rs.700/- and a golden chain.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Petitioner's name has figured during course of investigation in confessional statement of co-accused Sheshnath Rai. He is in custody since 25.9.2020.

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 no incriminating material has been recovered from the conscious possession of the petitioner and Test Identification Parade has not been carried out till date and he is in custody about ten months, 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, Bhojpur at Ara in Koilawar Police Station Case No. 271 of 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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