

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28883 of 2021

Arising Out of PS. Case No.-148 Year-2019 Thana- JHAJHA District- Jamui

RABINDRA KUMAR VISHWAKARMA S/O LATE DINESH
VISHWAKARMA R/O VILLAGE-GHUGHULDIH, P.S- BARHAT,
DISTRICT-JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 392/411 of the Indian Penal Code.

As per the prosecution case, two miscreants, riding on a motor cycle, on the point of pistol, looted the mobile and motor cycle of the informant.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused, Uday Kumar and Deepak Barnwal. No incriminating article has been recovered from the possession of the petitioner and till date the petitioner has not been put on Test Identification Parade. It is further submitted



that so called recovery of looted motor cycle from the house of the petitioner is in connection with Jhajha PS Case No. 106/2019 in which petitioner is on bail. Petitioner is in custody since 07.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Chief Judicial Magistrate, Jamui in connection with Jhajha PS case No. 148/2019 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.

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(Prabhat Kumar Singh, J)

