

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30244 of 2021

Arising Out of PS. Case No.-335 Year-2020 Thana- DINARA District- Rohtas

GUDDU KUMAR Son of Kedar Sah Resident of Village- Sarana Mathiya,
P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 395 of the Indian Penal Code.

As per the prosecution case, on 03.12.2020 while the informant was returning to his home after closing his shop and when he reached near the rice Mill of Rama Muni, six persons came on two motor cycles, surrounded the informant and snatched Rs. 19,000/- cash, Vivo mobile and his Passion Pro motor cycle and fled away.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. No incriminating article has been recovered from the possession of the petitioner. The name of petitioner surfaced in the case in the confessional



statement of co-accused. The looted Passion Pro motor cycle was recovered from the possession of another co-accused person and not from the possession of this petitioner. The Vivo mobile was recovered from the house of Co-accused, Rajan Kumar. Till date no Test Identification Parade has been done. Petitioner claims clean antecedent and is in custody since 02.01.2021

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 Additional Chief Judicial Magistrate-III, Bikramganj, Rohtas in connection with Dinara PS case No. 335/2020 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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