

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28811 of 2021

Arising Out of PS. Case No.-976 Year-2020 Thana- AHİYAPUR District- Muzaffarpur

Raja Kumar Son of Nawal Mahto Resident of Village - Madhopur, P.S. -
Mushahari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 10-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Ahiyapur P.S. Case No. 976 of 2020, registered for the offence under Section 395 of the Indian Penal Code.

As per the prosecution case, six unknown miscreants entered in the office of informant and on the point of pistol, took away cash worth Rs. 61,000/-, two mobile phones and two Tab of Samsung Company.

Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation on the confessional statement of co-accused Suraj Kumar and thereafter, petitioner was arrested and from his house, Hero Honda (Dream) motorcycle was recovered, which was used in the alleged crime. No looted article has been recovered from the possession of the petitioner. Petitioner has not been put on Test



Identification Parade till date and he is in custody since 30.12.2020. Investigation is complete.

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

Considering the aforesaid facts and circumstances, 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, Muzaffarpur in connection with Ahiyapur P.S. Case No. 976 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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