

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29992 of 2021

Arising Out of PS. Case No.-304 Year-2020 Thana- BARAUNI District- Begusarai

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Dular Kumar S/o Nawlki Mahto @ Navalki Nishad Resident of Village-
Simariyaghat Bind Toli, P.S.- Barauni, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barauni P.S. Case No. 304 of 2020 instituted for the offences
under Sections 392 and 397 of the Indian Penal Code read with
Sections 25(1-b)a and 26 of the Arms Act.

Learned counsel for the petitioner submits the
petitioner is in custody since 13.10.2020 and charge-sheet has
been submitted in the case and from perusal of the allegation as
alleged in the F.I.R. it would manifest that the informant alleges
that four persons came on an Apache motorcycle and on the
point of gun looted Rs. 10,000/- cash as well as jewellery of Rs.
3,00,000/- from his shop. The informant further claims that he
could identify the criminal by his face after seeing him.



Learned counsel for the petitioner submits the petitioner is in custody since 13.10.2020 and test identification parade was held but the informant could not identify the petitioner as one of the criminals who had committed the occurrence.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner has not been identified by the informant, he is in custody since 13.10.2020 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Barauni P.S. Case No. 304 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. with a condition that one of the bailor shall be the father of the petitioner and in the event, the petitioner, after trial commences, does not appear on two consecutive dates, the learned court below shall proceed to cancel his bail bonds.

(Satyavrat Verma, J)

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