

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34596 of 2021**

Arising Out of PS. Case No.-400 Year-2020 Thana- GOGRI District- Khagaria

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JUGNU KUMAR @ RAHUL KUMAR Son of Late Prakash Das Resident of  
Vill - Deori Pipra Latif, P.S. - (Maraiya O.P.), Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. S.D. Sanjay, Sr. Adv.

For the Opposite Party/s : Mr. APP.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      01-12-2021                      Let the defects, as pointed out by the office, be  
  
removed within four weeks of starting of Court proceeding  
  
in physical mode in normal course.

Heard learned senior counsel for the petitioner  
and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Gogri  
P.S. Case No. 400 of 2020/ G.R. No. 3351 of 2020 registered  
for the offence under Sections 392 and 411 of the Indian  
Penal Code.

The case relates to loot of pick up van on the point  
of gun.

Learned senior counsel appearing for the  
petitioner submits that the petitioner is innocent and has



falsely been implicated in this case. In fact, the petitioner has been made accused in this case merely on the basis of confessional statement of the co-accused, namely, Suman Kumar, who, having more or less similar allegation, has already been granted bail by a co-ordinate Bench of this Court vide order dated 26.10.2021 passed in Cr. Misc. No. 19284 of 2021. Save and except the confessional statement of the co-accused, no cogent material has come during course of investigation against the petitioner. Moreover, nothing has been recovered from the possession of the petitioner. The petitioner is rotting in judicial custody since 20.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that one more case of similar nature other than the present one has been instituted against the petitioner, which is evident from paragraph-3 of the petition.

Considering the facts and circumstances of the case, 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, Khagaria in connection



with Gogri P.S. Case No. 400 of 2020 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

braj/-

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