

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34839 of 2021

Arising Out of PS. Case No.-291 Year-2020 Thana- GOPALPUR District- Patna

SURAJ KUMAR S/o Mohan Prasad R/o Mohalla- Prithvipur Chiraiyantand
Road No. 1, P.S.- Kankarbagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, two unknown miscreants on the point of pistol looted mobile and motor cycle of the informant. One of the miscreants made firing as a result of which the informant sustained injuries.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. Petitioner has not been arrested on the spot. No incriminating article has been recovered from the possession of the petitioner. The looted motor cycle was seized at the instance of co-accused Vikash Kumar @ Bhupal @ Gopal. Petitioner has been remanded in this case on



09.12.2020 and since then he is in custody 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 Additional Chief Judicial Magistrate IX, Patna in connection with Gopalpur PS case No. 291/2020 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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