

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33484 of 2021**

Arising Out of PS. Case No.-29 Year-2021 Thana- PATEPUR District- Vaishali

Prabhat Kumar S/O Sanjay Kumar Mishra R/o village- Bajitpur (Raghopur Narasanda), P.S.- Patepur, Distt.- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1
For the Opposite Party/s : Mr.Nawal Kishore Prasad
Mr. Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 21-10-2021 Heard both parties.

The petitioner seeks bail in Patepur P.S. Case No. 29 of 2021, registered for the offence punishable under Sections 307, 323 and other allied sections of the Indian Penal Code.

As per the prosecution case, petitioner is alleged to have snatched cash of Rs. 20,000/- from possession of informant who was working at petrol pump, assaulted him by means of rod, dragged him inside the vehicle and fled away, but later on, patrolling party chased the said vehicle and petitioner was arrested near Kumar Bhatha at village Bajitpur along with vehicle on the same day.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. The alleged occurrence is said to have taken place on 13.02.2021, but the vehicle has been seized on 16.02.2021 and



date of memo of arrest is 16.02.2021. Petitioner is in custody since 17.02.2021. Investigation is complete.

Counsel for the informant vehemently opposed the bail application.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate III, Vaishali at Hajipur in connection with Patepur P.S. Case No. 29 of 2021, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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