

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34981 of 2021

Arising Out of PS. Case No.-175 Year-2019 Thana- BHAGWAN BAZAR District- Saran

PRAKASH SAH @ RAGHURAJ Son of Kanhaiya Sah Resident of Mohalla-
Dahiyawan, Police Station- Chapra Town, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2021

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 356, 379 of the Indian Penal Code and u/s 25(1-B)a, 27 of Arms Act.

As per the prosecution case, the motor cycle of the informant was stopped by three boys, who were also coming on a motor cycle, and snatched the mobile phone of the informant and fled away.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused, Niket Kumar @ Aniket, who has already been granted bail by a co-ordinate Bench of this court vide order dated 07.09.2020 passed in Cr. Misc. No. 21848/2020. No incriminating article has been recovered from the possession of the petitioner and till date the petitioner has not been put on Test Identification Parade. Petitioner claims clean antecedent and is in custody since 04.07.2020 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 Chief Judicial Magistrate, Saran, Chapra in connection with Bhagwan Bazar PS case No. 175/2019 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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