

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36546 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- KURSAILA District- Katihar

Praveen Kumar @ Pravin Kumar Son of Kesho Bhagat @ Kesho Jaiswal
Resident of Village - Gidha, P.S.- Rupouli, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2021 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of Covid 19 pandemic, requiring social distancing.

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

The petitioner seeks regular bail in connection with Kursela P.S. Case No. 21 of 2021 instituted for the offences under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 09.02.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R. it would



manifest that the informant alleges that she was returning home after withdrawing cash Rs. 40,000/- from S.B.I, Kursela. On the way, two miscreants arrived on motorcycle and snatched away the aforesaid cash and started fleeing away and on hulla raised by the informant, one miscreant was caught by the police and on query, he disclosed his name as Jitendra Singh and further he disclosed the name of this petitioner who had accompanied him in committing the offence and fled from the place of occurrence.

Learned counsel for the petitioner submits that petitioner has not been apprehended at the place of occurrence rather his name has come on the confessional statement of Jitendra Singh and no incriminating article has been recovered from the possession of the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner has criminal antecedents as mentioned in paragraph '3' of the bail application as such he does not deserve bail.

Considering the fact that the petitioner is in custody since 09.02.2021, charge-sheet has been submitted in the case and he was not apprehended at the place of occurrence, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with



two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Kursela P.S. Case No. 21 of 2021 subject to the condition as laid down under Section 437 (3) Cr.P.C. with a condition that the petitioner will mark his attendance in the concerned police station in between 20th to 25th of every month till the charges are not framed and in the event, the concerned police station informs the learned court below that the petitioner has not marked his attendance in between 20th to 25th of any of the month before framing of charges, the court below will be at liberty to cancel his bail bonds. Compliance of the condition will start from December, 2021.

(Satyavrat Verma, J)

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