

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36548 of 2021

Arising Out of PS. Case No.-146 Year-2020 Thana- SABAUR District- Bhagalpur

Gautam Kumar, S/O Arun Mandal @ Arun Kumar Mandal R/O Village-
Lailakh, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar- Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sabour P.
S. Case No.146 of 2020, instituted for the offences under
Section 392 of the Indian Penal Code and later on, Sections 395,
412 of the I.P.C. was also added.

The learned counsel for the petitioner submits that the
petitioner is in custody since 07.07.2020 and charge-sheet has
been submitted in this case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the informant alleges that he had taken
consignment of salt from Naugachia to Ekchari and was
returning to Naugachia, then at about 11.30 P.M. on 02.06.2020,



he was just near the Khankitta bridge and it is alleged that on the point of gun, the accused persons looted the tractor, trailer and Rs.3300/- from his pocket and left the informant at the place of occurrence after tying him.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Initially, his name came on the confessional statement of one co-accused Vikash Kumar in another case and when the petitioner was apprehended in the said case, it is alleged that petitioner was made to confess with regard to his involvement in the present case. Learned counsel for the petitioner further submits that no incriminating article has been recovered from his possession and the petitioner has not been put on T. I. Parade till date.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 07.07.2020 and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Puja Sharma, learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Sabour P. S.



Case No.146 of 2020, with a condition that petitioner will have to mark his attendance before the concerned police station in between 20th to 25th of every month commencing from January, 2022, till the charges are not framed. In the event, the concerned police station reports to the learned Court below that petitioner has violated the condition imposed as aforesaid in any of the month before framing of the charge, the learned Court below will be at liberty to cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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