

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27538 of 2020

Arising Out of PS. Case No.-82 Year-2020 Thana- TEGHRHA District- Begusarai

PRINCE KUMAR Son of Ramotar Chaudhary Resident of Village -
Raghunandanpur, P.S.- Teghra (Teyay o.p.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

The allegation against the petitioner is that he along
with three other co-accused persons in furtherance of their
common intention have committed robbery with the informant
and they have also voluntarily caused hurt to him during the
commission of the said robbery.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. He is
neither named in the F.I.R. nor was apprehended on the spot. No
incriminating article has been recovered from his conscious



physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, Mantun Yadav which has no evidentiary value in the eye of law. The petitioner has no criminal antecedent and has been languishing in custody since 03.04.2020

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of charge**, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No.82 of 2020, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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