

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38357 of 2021**

Arising Out of PS. Case No.-133 Year-2020 Thana- NALANDA District- Nalanda

Sunni Kumar Son of Dharmendra Prasad Resident of Village - Mohanpur,
P.O. and P.S.- Nalanda, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

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

3 30-09-2021 Heard both parties.

The petitioner seeks bail in Nalanda P.S. Case No. 133 of 2020, registered for the offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, while the informant was going for his daily duty to Nav Nalanda Mahabihar on his Glamour motorcycle, on the way, 04 persons having covered their faces with *Gamchha* on a white Apache motorcycle overtook the bike of informant, stopped him and assaulted him with hockey and fists and snatched his helmet. Thereafter, all of them dragged him in the field and threw the helmet upon him and after taking motorcycle fled away.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case on



the disclosure made by the spy. Looted motorcycle was recovered from orchard behind the house of this petitioner. Orchard does not belong to this petitioner. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner is in custody since 05.01.2021. Chargesheet has already been submitted.

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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Nalanda P.S. Case No. 133 of 2020, 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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