

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38988 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- CHANDAN District- Banka

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Rohit Kumar @ Rohit Kumar Yadav S/O Bimleshwar Yadav Resident of
Village Kumhradih (Noniya), P.S-Chandan, District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 24-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Chandan P.S. Case No. 18 of 2020, registered for the offence under Section 379 of the Indian Penal Code.

As per the prosecution case, co-accused Chhotu Kumar stole the mobile phone of informant as well as his friends.

Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation on the basis of confessional statement of co-accused Hasnain Raja. No incriminating article has been recovered from the possession of the petitioner. Petitioner has got clean antecedent and is in custody since 06.05.2021.



Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No. 18 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his 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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