

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39353 of 2021**

Arising Out of PS. Case No.-91 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

Santosh Kumar Yadav @ Chotu Kumar S/o Late Sanjay Yadav Resident of
Village- Jagatpur, Police Station- Parbatta, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Rajeev Nayan, APP

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

2 04-10-2021 Heard both parties.

The petitioner seeks bail in Ishakchak P.S. Case No. 91 of 2020, registered for the offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence, while the informant was closing his shop, 03 persons came on motorcycle and on the gun point, one of them snatched Rs. 35000/- from his possession and they also assaulted him by the butt of pistol, looted his mobile and 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 basis of confessional statement of co-accused Umang



Kumar. No looted article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner is in custody since 15.09.2020. 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, Bhagalpur in connection with Ishakchak P.S. Case No. 91 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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