

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40512 of 2021**

Arising Out of PS. Case No.-10 Year-2020 Thana- NAUBATPUR District- Patna

Nand Kishore S/O Sri Suryadev Singh R/o village- Dehri, P.S.- Pipra,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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

2 08-10-2021 Heard both parties through video conferencing.

The petitioner seeks bail in Naubatpur P.S. Case No. 10 of 2020, registered for the offence punishable under Section 392 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on the alleged date and time of occurrence, 04 miscreants riding on 02 motorcycles reached near Gas agency of the informant, barged into the office and on the point of pistol looted 2.5 lakhs from the cash counter, mobile phone, gold ring, locket and wallet of informant's son, ATM card, Aadhar Card, PAN card of his staffs.

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 Jay Lal



Mahto. No incriminating article has been recovered from possession of this petitioner. Till date petitioner has not been put on test identification parade. Petitioner is in custody since 28.09.2020. 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 Additional Chief Judicial Magistrate 3rd, Danapur, Patna in connection with Naubatpur P.S. Case No. 10 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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