

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7400 of 2021

Arising Out of PS. Case No.-647 Year-2019 Thana- MAHUA District- Vaishali

Rahul Kumar, Son of Vijay Ray, Resident of Village- Sadapur Dasrath Chok,
P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-06-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Mahua
P.S. Case No.647 of 2019 registered for the offence punishable
under Section 392 of the Indian Penal Code.

The informant has alleged that Rs.1,63,000/-, which
he had withdrawn from the Bank of Baroda Branch and was
carrying to his C.S.P. Centre, has been looted by four unknown



persons at gun-point.

Counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of suspicion arising out of five cases pending against him since before. There is no recovery of any incriminating material either from his possession or based on his statement. Learned counsel further submits that T.I.P. has not been done and the petitioner continues to be in custody since 04.05.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Vaishali, in connection with Mahua P.S. Case No.647 of 2019, G.R. No.6459/19, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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