

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35024 of 2020**

Arising Out of PS. Case No.-8 Year-2020 Thana- MOKAMAH District- Patna

Rohit Kumar, Male, aged about 20 years, son of Krishna Prasad @ Mohan Prasad, Resident of Govindpur, P.S.- Fatuha, District-Patha

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kritu Verma, Advocate  
For the State : Mr.Amitesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      22-01-2021                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Mokama P.S. Case No. 08 of 2020 registered for the offences punishable under Sections 392, 395 and 412 of the Indian Penal Code.

The prosecution case, in brief, as contained in the written report of the informant, namely, Mukesh Kumar, is tht, on dated 10.01.2020, he was coming along with his wife and friend from Katihar in Swift Desire Car. His friend, Tinku Kumar having Rs.2 lakh cash from his brother-in-law, who residing at Purnea. When, they arrived near Begusarai Bridge, then one silver colour Victa (vehicle), on which, 3-4 persons were boarded, was chasing and when they reached near Mokama bye-pass at about 3:30 A.M., then silver colour Tata



Victa overtake to him and stopped the vehicle and started abusing to the informant and sited persons. They have broken the glass of the vehicle and snatched the driver, Dharmendra Kumar from Car and asked about money started assaulting and started assaulting to the informant and sited persons, thereafter, informant handed over the money Rs.2 lakh to culprits, thereafter, gold ring and gold chain snatched to the informant and Mangalsutra and ear ring to the informant's wife.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. On the basis of confessional statement of co-accused, the petitioner has been made accused in the present case. He further submits that nothing incriminating article has been recovered from possession of the petitioner. Petitioner is in jail custody since 29.01.2020 and the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition.

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

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two



sureties of the like amount each to the satisfaction of learned A.C.J.M. 4<sup>th</sup>, Barh in connection with Mokama P.S. Case No. 08 of 2020, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjani Kumar Sharan, J)**

Nasimul/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

