

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39886 of 2020

Arising Out of PS. Case No.-143 Year-2018 Thana- CHENARI District- Rohtas

Sadhu Kumar @ Ramesh Kumar S/o Ganga Bind @ Sipahi Ji, aged about 19 years, R/o Village- Purab Pokhra, Ward No-23, P.S.- Bhabhua, District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-02-2021 Learned counsel for the petitioner is permitted to remove the defect within four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Chenari P.S. Case No. 143 of 2018 registered for the offences punishable under Sections 392, 395, 397 of the Indian Penal Code.

Prosecution allegation, in short, is that the accused persons looted cash amount in the gas agency of the informant on the point of pistol.

Learned counsel for the petitioner submits that similarly situated co-accused has been granted bail vide order dated 27.09.2019 passed in Cr. Misc. No.44539 of 2019 and



vide order dated 18.12.2019 passed in Cr. Misc. No.75508 of 2019. He further submits that the charge sheet has been submitted against the petitioner. He further submits that he has not been put on T.I. Parade and petitioner is not named in the F.I.R. On the basis of confessional statement of co-accused Rahul Gupta, the petitioner has been made accused in the present case. No incriminating article has been recovered from the possession of the petitioner.

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., Rohtas, Sasaram in connection with Chenari P.S. Case No. 143 of 2018, 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)

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