

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36900 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- PARIHAR District- Sitamarhi

Mahesh Kumar Singh @ Maheshi @ Mahesh Singh @ Mahesiya, Age-32 years, Gender-Male, S/o Ram Ekval Singh, Resident of village- Ranjitpur Koari, Police Station- Punaura, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Krishna Prasad Singh Sr. Adv. with Mr.
Virendra Kumar, Advocate
For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

7 06-09-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

Heard learned senior counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in Parihar P.S. Case No. 23 of 2020, instituted for the offence under Section 394 of the Indian Penal Code.



Four persons have stopped the vehicle of the informant and looted 5,85,865/- Rs. and they have also taken the mobile phones.

It is submitted by the learned senior counsel that based on 12 antecedents of the petitioner, he has been implicated in this case. He is on bail in all the 12 cases, pending against him since before. His implication in the instant case is based on his confessional statement recorded by the police. There is no recovery of any incriminating material from possession of petitioner. He has not been put on Test Identification Parade and continues to be in custody since 24.05.2020.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 Judicial Magistrate 1st Class, Sitamarhi, in connection with Parihar P. S. Case No. 23 of 2020, 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.

(Madhuresh Prasad, J)

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