

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37611 of 2020

Arising Out of PS. Case No.-267 Year-2020 Thana- BAKHARI District- Begusarai

=====

Aelis Gowala @ Alliyes Gowala, aged about 19 years, male, son of Late Mangal Gowala, resident of village- Fatepukur, P.S.- Rajganj District- Jalpaiguri (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Uma Shankar Prasad Singh, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 08-02-2021

Heard Mr. Uma Shankar Prasad Singh, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Bakhri PS Case No.267 of 2020 dated 01.07.2020, instituted under Section 394 of the Indian Penal Code.

3. The allegation against the petitioner is that he had snatched the bag hanging on the motorcycle of the informant containing Rs.49,900/-.

4. Learned counsel for the petitioner submitted that he is a seller of clothes and moves from place to place and was present at the spot and wrongly been caught as somebody else



had taken the bag and thrown at him. It was submitted that the petitioner is a resident of West Bengal and had come to meet his relatives. It was further submitted that the petitioner has no criminal antecedent and is in custody since 02.07.2020

5. Learned APP submitted that the petitioner was caught with the looted money and bag.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai, in Bakhri PS Case No.267 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date.



Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

AFR/NAFR	
U	
T	

