

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38116 of 2020**

Arising Out of PS. Case No.-8 Year-2020 Thana- AMAS District- Gaya

MD. AMJAD @ MD. AMJAD KHAN S/O KABIR UDDIN @ IMRAN
ANSARI RESIDENT OF VILLAGE - BAIRICHAK, BODH GAYA,
JHIKALIA, P.S. - MAGADH UNIVERSITY, DIST - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 26.05.2020 in connection with Amas P.S. Case No. 08/2020 registered for the offences punishable under Sections 392/411 of the Indian Penal Code.

As per the prosecution case, four unknown miscreants looted the pick-up van of the informant along with the goods.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR, his name transpired during the course of investigation on the basis of confessional statement made before the police by co-accused persons which has no evidentiary value. It is further submitted that no stolen article has been recovered from the possession of the petitioner



and petitioner has not been put on T.I. Parade till date. Charge-sheet has already been submitted in this case and the petitioner is in custody since 26.05.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned ACJM, Sherghati, Gaya, in connection with Amas P.S. Case No. 08/2020, subject to following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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