

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37887 of 2020

Arising Out of PS. Case No.-233 Year-2019 Thana- JANDAHA District- Vaishali

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Krishna Kumar S/o Ashok Das R/o Village - Akhtiyarpur Rajaura @
Sikandarpur Rajaura, P.S. - Begusarai Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the State : Ms. Pushpa Sinha APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor 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.

The petitioner seeks bail in Jandaha P S Case No 233 of 2019 instituted for the offence under Sections 395 of the Indian Penal Code.

While the informant was moving in his pick up van, it is alleged that 4 to 5 persons stopped his Bolero, have assaulted the informant and looted the van, mobile phone and other belongings.

Learned counsel for the petitioner submits that even as per prosecution case, it is not certain that there were five persons so as to make out a case under Section 395 of the Indian Penal Code and till date the petitioner has not been put on Test Identification Parade and continues to be in custody



since 06.07.2020. In a family dispute, he was arrested whereafter he has been remanded in two other cases, including the instant case. In the other two cases, he is already on bail.

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

Considering the rival submissions, 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 Sub Divisional Judicial Magistrate Vaishali at Hajipur, in connection with Jandaha P S Case No 233 of 2019, 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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