

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2249 of 2021**

Arising Out of PS. Case No.-107 Year-2020 Thana- SARAIYA District- Muzaffarpur

Aditya Kumar @ Golu @ Pappu Kumar @ Bahubali, son of Ajay Kumar R/O
Village - Madhopur, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Sanjay Kumar @ S.K., Advocate
For the State : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 27-05-2021 This matter has been taken up today for consideration
through video conferencing in view of resurgence of COVID-19
Pandemic.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

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

The petitioner seeks bail in connection with Saraiya
P.S. Case No.107 of 2020 instituted for the offence punishable
under Section 395 of the Indian Penal Code.

The allegation in the F.I.R. is that 6-7 persons having
firearm have committed dacoity in Utkarsh Small Finance Bank.



Rs.8,04,030/- has allegedly been looted.

It is submitted by the petitioner's counsel that merely on suspicion and on the basis of his confessional statement recorded while the petitioner was in custody in connection with Saraiya P.S. Case No.193 of 2020 for the offences under the Arms Act, the petitioner was remanded in this case and is in custody in this case since 01.06.2020. It is his submission that no incriminating material has been recovered from the petitioner. Co-accused Hari Shankar Pandey from whose possession there is alleged recovery of Rs.1,10,000/-, has been allowed bail in Cr.Misc. No.40823 of 2020, vide order dated 08.04.2021.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for bail.

Accordingly, 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 learned Additional Chief Judicial Magistrate-1st (West), Muzaffarpur, in connection with Saraiya P.S. Case No.107 of 2020, subject to the following conditions:



(i) That one of the bailors of the petitioner 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 bonds will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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