

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39901 of 2020

Arising Out of PS. Case No.-166 Year-2020 Thana- PIPRA District- Supaul

Nandan Kumar, Male, aged about 19 years, Son of Brahamdev Yadav,
Resident of Village - Ram Pur, P.S. - Pipra, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate

For the State : Mr.Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-02-2021 Learned counsel for the petitioner is permitted to

remove the defect within four weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Pipra
P.S. Case No. 166 of 2020 registered for the offence punishable
under Section 395 of the Indian Penal Code.

The prosecution story in brief is that the informant,
namely, Hareram Kumar, submitted a written report to the
S.H.O., Pipra P.S. stating that on 21.06.2020 at around 06:00
P.M. when he was going to his village Laukaha along with his
brother, six persons on two motorcycles looted the informant as
well as his brother at gunpoint. It is alleged that the said
miscreants forcefully looted one Black TVS Redion Motorcycle
having Registration No.BR-50M-5661, Purse and Mobile



Phones of both the informant as well as his brother and fled away towards Ram Nagar. It is further alleged that in the Side Box (Luggage Dicky) of the said looted motorcycle, Matriculation mark Sheet Certificate, Ration Card, 4 Passbooks of PNB Bank (Laukaha), ATM Card, PAN Card were kept and apart from that, 10 notes of 500 rupees (total INR 5000/-) and the Voter ID Card of the wife of the informant were kept in the purse of the informant and in the pocket of the brother of the informant, one MI Phone and INR 7000/- were kept. It is alleged that all the above-mentioned articles were looted by the said six miscreants.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. On the basis of confessional statement of co-accused, the petitioner has been made accused in the present case. He further submits that no T.I.P. has been conducted and no incriminating article has been recovered from possession of the petitioner. Petitioner is in jail custody since 04.07.2020 and petitioner has got no any criminal antecedent.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the



above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Pipra P.S. Case No. 166 of 2020, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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