

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4966 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- RAJNAGAR District- Madhubani

KANHAIYA BHARADWAJ Son of Ram Babu Ram Resident of Village-
Pragati Nagar, P.S.- Madhubani Town, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Chandra Bhushan Pd, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-06-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Raj Nagar P.S. Case No.

22 of 2020, registered for the offence punishable under Sections

379, 356 and 34 of the Indian Penal Code.

As per the prosecution case, on the alleged date and

time of occurrence while the informant was returning to his

home on motorcycle, on the way four miscreants, came down

from Scorpio vehicle and forcibly stopped the informant and on

the point of pistol looted away, mobile, cash, ATM card, Aadhar

Card, Driving license, PAN card etc. and key of the motorcycle.

It is submitted on behalf of the petitioner that



petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Monu Kumar Mishra. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner is in custody since 05.02.2020. Investigation is complete.

Learned APP however, vehemently opposed the prayer for bail.

Considering the fact that nothing has been recovered conscious possession of this petitioner and TIP has not been held till date, the petitioner above-named, is directed to be enlarged 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 Additional Chief Judicial Magistrate Ist, Madhubani in connection with Raj Nagar P.S. Case No. 22 of 2020, subject to following conditions:-

(i) The 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 and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



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

(Prabhat Kumar Singh, J)

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