

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1328 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- MANJHAGARH District- Gopalganj

Vivek Raj Prabhat Son of Sri Amit Ranjan Resident of Village- Jalpurwa,
P.S.- Barauli, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sarva Deo Singh, Advocate
For the State : Mr. Suresh Prasad Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-03-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honour 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 to do so by the office.

The petitioner seeks bail in Majhagarh PS Case No 211 of 2020, instituted for the offence under Section 394 of the Indian Penal Code and Section 27 of the Arms Act.

92,700/- Rupees has been looted from the CSP centre. The informant has alleged that two persons with their face covered have committed the loot. In the process one has assaulted by helmet and other by firearm causing injury in the stomach.



The learned counsel for the petitioner submits that one Yuvraj Kumar was arrested in the course of investigation and he has implicated the petitioner. Such implication based on statement of co-accused has no evidentiary value. The petitioner has no criminal antecedents. It has been stated that he is a student of Class-XII and was preparing for competitive examinations to secure his future. In the meantime, he has suffered his unfortunate implication and has been in custody since 04.09.2020.

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 Chief Judicial Magistrate, Gopalganj, in connection with Majhagarh PS Case No 211 of 2020, 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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