

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40761 of 2020**

Arising Out of PS. Case No.-143 Year-2019 Thana- DHAKA District- East Champaran

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MADHURENDRA KUMAR SON OF MOHAN SINGH RESIDENT OF
VILLAGE- BASBITTI, P. S.- SAHIYARA, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 12-04-2021 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 Dhaka P.S. Case No. 143

of 2019, registered for the offence punishable under Section 392

of the Indian Penal Code.

As per the prosecution case, while the informant was

going to Dhaka by his motorcycle, on the way, three unknown

miscreants boarded on motorcycle, overtook the informant and

forcibly stopped him. On the point of gun, took out, cash of Rs.

6700/-, mobile, PAN cards, ATM card and Aadhar cards from

possession of the informant and fled away.

It is submitted on behalf of the petitioner that



petitioner is not named in the FIR. During course of investigation, this petitioner along with co-accused Jitendra Kumar @ Jitu were arrested with looted motorcycle of the present case for which Sufi PS Case No. 112 of 2019 has been registered. Petitioner has not been put on test identification parade till date. Looted motorcycle has not been recovered from possession of petitioner rather from possession of co-accused Jitendra Kumar @ Jitu. Petitioner is in custody since 07.09.2020. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Sikrahana, East Champaran at Motihari in connection with Dhaka P.S. Case No. 143 of 2019, 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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