

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40695 of 2020

Arising Out of PS. Case No.-274 Year-2020 Thana- PARSABAZAR District- Patna

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Suraj Kumar S/o Late Munni Lal Sao Resident of Yadav Chak, P.S.- Parsa Bazar, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajanan Mishra

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Parsa Bazar P.S. Case No. 274 of 2020 registered for the offence under Sections 457/380 of the Indian Penal Code.

As per the prosecution case, while the informant had gone to his ancestral house to participate in the *Shradh* of his father, he received an information that lock of the main gate of his house has been broken. Thereafter, he went there and saw that everything in the house was scattered and jewellery worth rupees ten lacs and cash of rupees two lacs have been stolen away.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. Name of petitioner has come on the basis of confessional statement of co-accused Vishal Yadav. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that till date, neither the



petitioner nor the alleged recovered ornaments have been put on T.I.P. and same has not been identified by the informant or his family members. Petitioner has got clean antecedent, as stated in paragraph – 3 of the petition and he is in custody since 01.08.2020. Chargesheet has been submitted.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 learned A.C.J.M.-VIII, Patna in connection with Parsa Bazar P.S. Case No. 274 of 2020 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J.)

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