

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4333 of 2021

Arising Out of PS. Case No.-79 Year-2019 Thana- BHAGWANPUR District- Begusarai

Rahul Kumar aged about 25 years, Male, Son of Ram Udit Singh Resident of Village- Simariya, P.S.- Barauni, Chakiya O.P., District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Dhar Jha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 21-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in S.Tr. No. 212 of 2020, arising out of Bhagwanpur (Tiyay O.P.) P.S. Case No. 79 of 2019, registered for the offence under Section 392 of the Indian Penal Code.

As per the prosecution case, on 14.05.2019, while the informant was returning on motorcycle, after collecting his Admit Card from R.B.S. College, and reached near Tiya More, he was intercepted by two unknown miscreants and on the point of pistol, they snatched his (informant) motorcycle and fled away.

Counsel for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has come on the



basis of confessional statement of co-accused namely *Rajan @ Gugla*. Till date, petitioner has not been put on T.I.Parade. No looted motorcycle has been recovered from the possessions of the petitioner. It is further submitted that though, petitioner is accused in six more criminal cases, but in all the cases, petitioner is on bail. Petitioner has been remanded in this case on 18.06.2020.

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

Considering the rival submissions of the parties and the materials available on record, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Additional Sessions Judge – XI, Begusarai in connection with S. Tr. No. 212 of 2020, arising out of Bhagwanpur (Tiyay O.P.) Police Station Case No. 79 of 2019, 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 below and shall remain physically present, as directed by the court below, 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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