

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1128 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- ARARIA District- Araria

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AJIT JHA @ AJIT MISHRA @ AJIT KUMAR MISHRA son of Prabhu Nath
Mishra Resident of Village- Dabhra, P.s.- Tarabari, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 18.05.2020 in connection with Araria (Bairgachi) P.S. Case No. 265/2020 registered for the offences punishable under Sections 394 of the Indian Penal Code.

As per the prosecution case, after withdrawing money from the different ATMs, informant purchased medicine from the shop and when reached near Koshkipur Pulia, two pulsar motorcycle borne persons intercepted him and on the point of pistol, snatched bag of the informant containing rupees three lakhs along with other valuable items and fled away.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR, his name surfaced on the basis of confessional statement of co-accused which has no



evidentiary value. It is further submitted that no incriminating article has been recovered from the possession of the petitioner. Chargesheet has already been submitted in this case and petitioner is in custody since 18.05.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Araria (Bairgachi) P.S. Case No. 265/2020, subject to following conditions:-

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

(2) If the petitioner tempers 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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