

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4163 of 2021**

Arising Out of PS. Case No.-20 Year-2020 Thana- BITHAN BAZAR District- Samastipur

RAJU KUMAR son of Ghanshyam Yadav Resident of Village- Sihama, P.S.-  
Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

3      05-04-2021                      Heard both parties.

The petitioner seeks bail in Bithan P.S. Case No. 20/2020, registered for the offence punishable under Section 392 of the Indian Penal Code.

As per prosecution case, two unknown bike borne miscreants on the point of pistol looted cash of Rs. 5,02,000/- and other articles while the informant along with others were coming on motorcycle.

It has been submitted on behalf of the petitioner that petitioner is not named in the F.I.R. Only on the basis of confessional statement of co-accused, petitioner has been made accused in this case. It is further submitted that no looted articles have been recovered from possession of the petitioner and till date no T.I.P. has been held. Charge-sheet has already been submitted. It is further submitted that one co-accused, namely, Rajeev Kumar



@ Rajeev Yadav having identical accusation has already been granted bail by a co-ordinate Bench of this Court, vide order dated 26.11.2020 passed in Cr. Misc. No. 30943/2020.

Petitioner is in custody since 25.06.2020.

Considering the facts aforesaid and the fact that no incriminating articles have been recovered from possession of this petitioner and till date T.I.P. has not been held, 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 learned A.C.J.M. VIth, Rosera, Samastipur, subject to the 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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