

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1792 of 2021

Arising Out of PS. Case No.-292 Year-2020 Thana- BELAGANJ District- Gaya

Bhola Kumar son of Vimal Sharma Resident of Village- Bhoari, P.S.- Tekari,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Belaganj P.S. Case No. 292 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 384, 504 and 506 of the Indian Penal Code.

As per prosecution case, while the informant, being driver of a Hyva truck, was driving the truck from Gaya to Patna, a Tata Sumo vehicle overtook it. Allegedly, co-accused Karu Singh, Rishu Singh and Chhotu Singh with 5-6 unknown got down of the vehicle and demanded a sum of Rs. 50,000/-, as extortion money. When the informant resisted, they are said to have snatched a sum of Rs. 10,000/- from the pocket of the informant. In the meantime, the police came and arrested seven persons, who were found sitting in the Sumo vehicle.

It is submitted on behalf of the petitioner that except



for the fact that petitioner was found sitting in the Sumo vehicle, there is absolutely no material against him. It is further submitted that no incriminating article has been recovered from the vehicle nor from the petitioner's possession. It is further submitted that similarly situated co-accused namely Sanjeet Kumar Singh, Vikash Kumar and Jitendra Kumar have already been granted bail by this Court, vide order dated 14.12.2020 passed in Cr.Misc. No. 33113/2020, order dated 10.02.2021 passed in Cr.Misc. No. 40132/2020 and order dated 17.02.2021 passed in Cr.Misc. No. 39446/2020 respectively. Petitioner is in custody since 11.09.2020.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Belaganj P.S. Case No. 292 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 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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