

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2824 of 2021**

Arising Out of PS. Case No.-35 Year-2019 Thana- KARPI District- Jehanabad

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Pritam Kumar @ Laden @ Pritam Kumar aged about 19 years Son of Late
Ramanuj Singh Resident of Village - Nadaura, P.S.- Kurtha, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Binod Kumar No.3, Addl Public Prosecutor
Mr. Binod Kumar, Advocate

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

3 18-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered
for the offence punishable under sections 395/412 of the Indian
Penal Code.

As per the prosecution case, six persons riding on two
motorcycles intercepted the informant and his son and snatched
two mobile phones and cash Rs.2,000/- from them. Informant
has identified four miscreants named in the FIR.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR and his name has come in the
case on confessional statement of co-accused Gautam Kumar in
course of investigation. No incriminating material has been



recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Charge sheet has already been submitted. Petitioner is accused in two other criminal cases in which he is on bail as stated in paragraph 3 of the bail petition. Petitioner is in custody since 5.6.2020.

Considering the facts and circumstances of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and Test Identification Parade has not been carried out till date though informant has claimed to identify the miscreants, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 Sri Rakesh Kumar Rakesh, Additional Chief Judicial Magistrate IV, Arwal in Karpi Police Station Case No. 35 of 2019 on the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her 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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