

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4220 of 2021

Arising Out of PS. Case No.-450 Year-2020 Thana- KAHALGAON District- Bhagalpur

Amit Kumar Son of Kailash Yadav @ Photo Yadav Resident of Village -
Rasalpur, P.S.- Rasalpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 17-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Kahalgaon P.S. Case No. 450 of 2020, registered for the offence under Sections 461, 379, 511, 427 of the Indian Penal Code.

As per the prosecution case, some unknown miscreants tried to commit theft in A.T.M. Machine and they also damaged the C.C.T.V. Camera.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. The name of petitioner has surfaced during course of investigation on his self-confessional statement, which has got no evidenciary value, and save & except his confession, there is no other material against this petitioner. It is further submitted that so called seized articles, which have been recovered from the possession of petitioner i.e. Toofan Company fan and cash amount of Rs. 450/- (four



hundred forty), are the common articles and neither the same have been put on T.I.P. nor has been identified by the informant. Petitioner has got clean antecedent and he is in custody since 23.07.2020.

Considering the aforesaid facts & circumstances as well as the fact that save & except confessional statement of petitioner, which has no evidenciary value, there is no other material against him, the bail application 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 C.J.M., Bhagalpur in connection with Kahalgaon P.S. Case No. 450 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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